

14366. Adulteration of candy. U. S. v. 45 Boxes \* \* \*. (F. D. C. No. 26281. Sample No. 27596-K.)

LIBEL FILED: On or about February 3, 1949, Western District of Missouri.

ALLEGED SHIPMENT: On or about April 15, 1948, from New Orleans, La.

PRODUCT: 45 boxes each containing 24 1-ounce candy bars at Springfield, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its nauseating odor and taste. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 4, 1949. Default decree of destruction.

14367. Adulteration of candy. U. S. v. 8 Cases \* \* \* (and 2 other seizure actions). (F. D. C. Nos. 23977, 23983, 23992. Sample Nos. 22251-K, 24038-K, 36219-K.)

LIBELS FILED: On or about November 19 and 25 and December 2, 1947, Southern District of Iowa, District of Montana, and Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 15, 17, and 23, and November 4, 1947, by Schuler Chocolates, Inc., from Winona, Minn.

PRODUCT: Candy. 8 cases, each containing 16 boxes of 24 bars each, at Des Moines, Iowa; 12 cases, each containing 12 cartons of 3 1-pound boxes each, at Great Falls, Mont.; and 15 cases, each containing 6 6-pound boxes, at New Orleans, La.

LABEL, IN PART: "Schuler Cherry Hill Chocolate Covered," "Schuler Park Square Chocolates," or "Vanilla Fudge Schuler Chocolates."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, insect fragments, insects, rodent hair fragments, and rodent excreta fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 12 and March 15, 1948. Default decrees of condemnation and destruction.

14368. Adulteration and misbranding of candy. U. S. v. 9 Cases \* \* \*. (F. D. C. No. 24648. Sample No. 33278-K.)

LIBEL FILED: May 25, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about December 22, 1947, by Schuler Chocolates, Inc., from Winona, Minn.

PRODUCT: 9 cases, each containing 12 boxes of 24 bars each, of candy at Fresno, Calif.

LABEL, IN PART: "Cherry Hi-Ball Net Wt. 1 1/8 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1) a valuable constituent, cherries, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the name "Cherry Hi-Ball," the statement "Cherry Candy Bar \* \* \* Delicious Cherries," and the vignette depicting two clusters of cherries, appearing on the bar label, were false and misleading as applied to the article, which contained no cherries or pieces of cherries.

DISPOSITION: August 3, 1948. Default decree of condemnation and destruction.

14369. Adulteration and misbranding of candy Easter eggs. U. S. v. 54 Cases \* \* \*. (F. D. C. No. 24384. Sample No. 31325-K.)

LIBEL FILED: March 19, 1948, Territory of Hawaii.