

16115. Adulteration of candy. U. S. v. 41 Boxes * * * (and 1 other seizure action). (F. D. C. No. 28937. Sample Nos. 15449-K, 15450-K.)

LIBELS FILED: April 3, 1950, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about September 16, 1949, and January 20 and 25, 1950, by Waldies Chocolate Co., Inc., from New York, N. Y.

PRODUCT: Candy. 41 boxes, each containing 24 1½-ounce bars, and 42 boxes, each containing 24 1¼-ounce bars, at Detroit, Mich.

LABEL, IN PART: "Waldies Imitation Maple Walnut Marshmallow Chocolate Covered" or "Waldies Mint Patty."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of wood splinters.

DISPOSITION: May 12, 1950. Default decrees of condemnation and destruction.

16116. Misbranding of candy. U. S. v. 17 Cartons, etc. (F. D. C. No. 28971. Sample Nos. 68432-K, 68438-K, 68439-K.)

LIBEL FILED: April 18, 1950, Eastern District of Washington.

ALLEGED SHIPMENT: On or about February 15, 1950, by the Creston Candy Corp., from New York, N. Y.

PRODUCT: 36 cartons of candy at Yakima, Wash.

LABEL, IN PART: "Milk Chocolate Standing Rabbit [or "Jack Rabbit" or "Rooster"] Net Weight 3¼ Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The candy was short of the declared weight.)

DISPOSITION: May 22, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for children.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. **16117** and **16118**, and that was below the legal standard for milk fat content, Nos. **16119** and **16120**.

16117. Adulteration of butter. U. S. v. 8 Cartons (504 pounds) * * * (F. D. C. No. 29005. Sample No. 56675-K.)

LIBEL FILED: October 21, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about October 5, 1949, by the Washington County Cooperative Creamery Co., from Linn, Kans.

PRODUCT: 8 63-pound cartons of butter at New York, N. Y. Analysis showed that the product was manufactured from decomposed cream.

LABEL, IN PART: "Butter Distributed by Breakstone Bros., Inc., N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.