

28836. Candy. (F.D.C. No. 48223. S. Nos. 94-430/1 T.)

QUANTITY: 15 20-lb. ctns. of red twist candy, 20 cases, 24 7-oz. bags each, of licorice twist and 13 cases, 26 8-oz. bags each, of burnt peanuts, at Minneapolis, Minn., in possession of Leo Singer Candy & Tobacco Co.

SHIPPED: Between 7-27-62 and 9-7-62, from Chicago, Ill.

LABEL IN PART: (Ctn.) "Red Twist Candy."; (bag) "Ver-e-best Candies * * * Licorice Twist * * * Ingredients * * * Natural and Artificial Flavors and U.S. Certified Colors. Singers Ver-e-best Candies Minneapolis, Minn."; "Burnt Peanuts * * * Ingredients * * * Certified Color, Imitation Flavor Singers Ver-e-best Candies, Minneapolis, Minn."

RESULTS OF INVESTIGATION: Examination revealed that the candy was shipped in bulk lots and repacked by the dealer into retail-size bags of clear cellophane. The quantity of contents and the ingredient statements on the bags were printed in ink of a color similar to the color of the contents of the bags causing the statements to be inconspicuous.

LIBELED: 10-11-62, Dist. Minn.

CHARGE: 403(f)—while held for sale, the information required under 403(e)(2), 403(i)(2), and 403(k), namely, the quantity of contents statement, the statement of ingredients, and the declaration of artificial flavoring and artificial coloring, were not prominently placed on the labels with such conspicuousness (as compared with other words and statements on the labels) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 1-2-63. Consent—claimed by Singer Candy Co., Minneapolis, Minn., and relabeled.

DAIRY PRODUCTS

BUTTER

28837. Butter. (F.D.C. No. 48040. S. No. 79-084 T.)

QUANTITY: 28 boxes at Minneapolis, Minn.

SHIPPED: 8-30-62, from Edgeley, N. Dak., by Edgeley Cooperative Creamery Co.

LABEL IN PART: (Box) "Creamery Butter * * * 4011 64 Lbs. Net. * * * 39 Unsalted."

LIBELED: 9-27-62, Dist. Minn.

CHARGE: 402(a)(3)—contained fly and other insect fragments and rodent hair fragments; and 402(a)(4)—packed and prepared under insanitary conditions.

DISPOSITION: 3-5-63. Default—destruction.

28838. Butter. (F.D.C. No. 48029. S. No. 94-441 T.)

QUANTITY: 148 ctns. at Minneapolis, Minn.

SHIPPED: 8-23-62, from Edgeley, N. Dak., by Edgeley Cooperative Creamery Co.

LABEL IN PART: (Ctn.) "Butter Keep Cool 4011 64 Lbs. Net."

LIBELED: 9-14-62, Dist. Minn.

CHARGE: 402(a)(3)—contained whole flies, and fly and other insect parts; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 3-5-63. Default—destruction.