

822. Misbranding of candy. U. S. v. 194 Packages and 30 Packages of Candy. Product ordered distributed to charitable institutions. (F. D. C. No. 515. Sample Nos. 67823-D, 67824-D.)

These packages contained smaller amounts of candy than was indicated by their outward appearance. Examination showed that the smaller packages had false bottoms and that the larger packages had false ends.

On or about August 29, 1939, the United States attorney for the District of Connecticut filed a libel against 194 3-ounce packages and 30 pound packages of candy at Bridgeport, Conn., alleging that the article had been shipped in interstate commerce on or about July 28, 1939, by Marvel Novelty Co., Inc., from New York, N. Y.; and charging that it was misbranded in that the containers were so made, formed, or filled as to be misleading. The article was labeled in part: "Manhattan" or "Lady Joan Assorted Chocolates."

On November 17, 1939, no claimant having appeared, judgment was entered ordering that the product be distributed to charitable institutions, and that the containers be destroyed.

HONEY

823. Misbranding of honey. U. S. v. 1,728 Jars of Honey. Consent decree of condemnation. Product released under bond to be relabeled. (F. D. C. No. 697. Sample No. 65476-D.)

This product was short of the declared weight.

On October 9, 1939, the United States attorney for the Southern District of Ohio filed a libel against 1,728 jars of honey at Cincinnati, Ohio, alleging that the article had been transported in interstate commerce on or about July 5, 1939, by Bell & Co., of Cincinnati, Ohio, in their own truck from Chicago, Ill., and charging that it was misbranded. It was labeled in part: "Sunsealed in Florida Pure Honey 14 Oz. Net Whitefield Citrus Products Corporation Bradenton, Florida."

The article was alleged to be misbranded in that the statement "14 Oz. Net" was false and misleading since it was incorrect; and in that it was in package form and did not bear an accurate statement of the quantity of contents.

On November 17, 1939, Bell & Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be relabeled under the supervision of this Department.

SPICES

MUSTARD SEED

824. Misbranding of mustard seed. U. S. v. 57 Dozen Cartons of Mustard Seed. Default decree of condemnation and destruction. (F. D. C. No. 398. Sample No. 47906-D.)

The packages of this product were filled to only one-half of their capacity.

On August 14, 1939, the United States attorney for the District of Maryland filed a libel against 57 dozen cartons of mustard seed at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 19, 1939, by Hudson Tea & Spice Co. from Brooklyn, N. Y.; and charging that it was misbranded in that its container was so filled as to be misleading since it was slack-filled.

On November 1, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS

MEAT LOAF BINDER

825. Adulteration of meat loaf binder. U. S. v. 8 Barrels of JKL Meat Loaf Binder. Default decree of condemnation and destruction. (F. D. C. No. 1139. Sample No. 49101-D.)

This product was in interstate commerce when examined, and at that time it was found to be insect-infested.

On December 8, 1939, the United States attorney for the District of Rhode Island filed a libel against eight barrels of meat loaf binder at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about September 25, 1939, by J. K. Laudenslager, Inc., from Philadelphia, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On January 4, 1940, no claimant having appeared, judgment of condemnation and destruction was entered.