4327. Adulteration of candy. U. S. v. 64 Boxes, 66 Boxes, 74 Boxes, and 11 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 8925. Sample Nos. 25297–F to 25299–F incl.)

On November 27, 1942, the United States attorney for the District of Maryland filed a libel against 141 5-pound boxes, and 74 2½-pound boxes of candy at Baltimore, Md., alleging that the article had been shipped in interstate commerce within the period from on or about October 16 to on or about October 28, 1942, by Jane Louise Candies from Lancaster, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Jelly Nut Rolls," "Maple Nut Rolls," or "Ye Olde Colonial Chocolates Assorted Chocolates and Bon-Bons."

On December 31, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4328. Adulteration of candy. U. S. v. 24 Boxes and 44 Boxes of Candy. Default decrees of condemnation and destruction. (F. D. C. Nos. 8454, 8455. Sample Nos. 22491–F, 22922–F.)

On September 30, 1942, the United States attorney for the District of New Jersey filed a libel against 24 boxes, and 44 boxes of candy at Camden, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about August 13, to on or about September 3, 1942, by F. M. Paist Co. from Philadelphia, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "200 Count Pals 2 for 1¢," or "120 Pieces 1¢ each The Original and Only Pinwheels."

On December 21, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

4329. Adulteration of candy. U. S. v. 12 Boxes and 13 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 9052. Sample Nos. 18461–F, 18465–F.)

On or about December 28, 1942, the United States attorney for the District of New Jersey filed a libel against 12 boxes, each containing 120 pieces, of candy, and 13 boxes, each containing 5 pounds, of candy at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about December 3, 1942, by Henry Heide, Inc., from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "120 Pieces Candy 1¢ each Giant Americans," or "Diamond Brand Licorice Gum Drops."

On March 18, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4330. Adulteration and misbranding of candy. U. S. v. 25 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 8148. Sample No. 17766–F.)

The coating of this product contained cocoa and coconut oil instead of sweet chocolate as listed in the ingredient statement. The candy bars were short of the declared weight.

On August 18, 1942, the United States attorney for the District of New Jersey filed a libel against 25 boxes, each box containing 100 bars, of candy at Belleville, N. J., alleging that the article had been shipped in interstate commerce on or about July 27, 1942, by Mason, Au & Magenheimer Confectionery Manufacturing Co. from Brooklyn, N. Y.; and charging that it was adulterated and misbranded. The article was labeled in part: (bars) "Mason's Hawaii."

The article was alleged to be adulterated in that cocoa and coconut oil had been substituted wholly or in part for sweet chocolate, which was listed on the label as an ingredient.

The article was alleged to be misbranded in that the statement "Sweet Chocolate," in the list of ingredients, was false and misleading as applied to an article containing cocoa and coconut oil. The article was alleged to be misbranded further in that it was in package form and it failed to bear a label containing an accurate statement of the quantity of the contents, since the statement "1¾ Ozs. Net. Weight," borne on the label was incorrect.

On November 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.