

8848. Adulteration and misbranding of candy. U. S. v. 8 Cases and 49 Cartons of Candy. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to charitable institutions. (F. D. C. Nos. 15680, 15702. Sample Nos. 31033-H, 32034-H.)

LIBELS FILED: March 28 and 31, 1945, Districts of Oregon and Kansas.

ALLEGED SHIPMENT: On or about February 26 and March 8, 1945, by Confections of California, from Chatsworth, Calif.

PRODUCT: 8 cases at Pittsburg, Kans., and 49 cartons at Portland, Oreg., each containing 24 8-ounce cans of candy. The product was packed in three layers, with an excessive amount of space between the top layer of the candy and the top of the can. In addition, the Portland lot contained rodent hairs.

LABEL, IN PART: "Brunch-Crunch Delicious Honey-Nut Confection."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product in the Portland lot consisted in whole or in part of a filthy substance.

Misbranding, Section 403 (d), the containers in all lots were so filled as to be misleading since there was an excessive amount of unfilled space in them.

DISPOSITION: May 9 and July 13. No claimant having appeared, judgments of condemnation were entered, and it was ordered that the Portland lot be destroyed and that the Pittsburg lot be delivered to charitable institutions.

8849. Misbranding of candy. U. S. v. 402 Boxes of Candy. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15773. Sample No. 814-H.)

LIBEL FILED: April 5, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about March 9, 1945, by the Brock Candy Co., from Chattanooga, Tenn.

PRODUCT: 402 boxes, each containing 24 candy bars at Atlanta, Ga. The candy was a chocolate-coated roll containing peanuts. It was placed on a cardboard strip and was loosely wrapped in a printed, yellow glassine wrapper. The cardboard strip was about $\frac{3}{8}$ -inch wider than the candy, and the manner of wrapping gave the impression that the candy bar was much larger than was actually the case.

LABEL, IN PART: (Bar wrapper) "Brock A Nut Roll Enrobed in a Delicious Coating [or "Chocolate Covered Nut Roll"]."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the candy was so filled as to be misleading since there was an excessive amount of unfilled space in the wrapper.

DISPOSITION: April 11, 1945. The Brock Candy Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be repackaged and relabeled under the supervision of the Food and Drug Administration.

8850. Misbranding of pecan brittle. U. S. v. 5 Cases of Pecan Brittle. Default decree of forfeiture. Product ordered distributed to hospitals. (F. D. C. No. 15324. Sample No. 906-H.)

LIBEL FILED: February 27, 1945, Southern District of Florida.

ALLEGED SHIPMENT: On or about January 25, 1945, by Stuckey's, from Eastman, Ga.

PRODUCT: 5 cases, each containing 60 $\frac{1}{2}$ -pound boxes, of pecan brittle at Miami, Fla.

NATURE OF CHARGE: Misbranding, Section 403 (d), the container of the candy was so filled as to be misleading since only half the space in the box was filled.

DISPOSITION: April 6, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered distributed to hospitals.

SIRUPS AND SUGARS

8851. Adulteration of cane sugar sirup. U. S. v. 1,205 Cases of Cane Sugar Syrup. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15308. Sample No. 310-H.)

LIBEL FILED: March 1, 1945, Southern District of Florida.

ALLEGED SHIPMENT: On or about January 28, 1944, by Brower & Fuller, from Indianapolis, Ind.

PRODUCT: 1,205 cases, each containing 6 1-quart, 1-pint, 8-ounce jars, of cane sugar sirup at Sanford, Fla.