

CANDY, ICING, AND SIRUP**CANDY**

18201. Misbranding of candy. U. S. v. 228 Boxes, etc. (F. D. C. No. 32379. Sample No. 5839-L.)

LIBEL FILED: December 26, 1951, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 10, 1951, by Kandy Kettle, from Pawtucket, R. I.

PRODUCT: 228 1-pound boxes and 9 2-pound boxes of candy at Boston, Mass.

LABEL, IN PART: (Box) "Fancy Ribbon Candy."

NATURE OF CHARGE: Misbranding, Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents.

Further misbranding, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient; and, Section 403 (k), the product contained artificial color and flavor and failed to bear labeling stating that fact.

DISPOSITION: February 18, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

18202. Misbranding of candy. U. S. v. 82 Boxes * * *. (F. D. C. No. 32483. Sample No. 9304-L.)

LIBEL FILED: February 7, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 30 and November 5 and 14, 1951, by the Joe Franklin Myers Industries, from Dallas, Tex.

PRODUCT: 82 cases, each containing 12 11-ounce packages, of candy at Chicago, Ill. Enclosed in each case was a display placard headed "Energy Sticklets."

LABEL, IN PART: (Package) "Energy Sticklets."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Low Calorie Candies * * * A blessing for people on diets" appearing on the display placard headed "Energy Sticklets" were false and misleading. These statements represented and suggested that the article was a special type of candy, low in caloric value, and particularly useful to individuals on reducing diets. The article was an ordinary type of hard candy, high in caloric value, and of no special value for people on diets.

DISPOSITION: April 1, 1952. The Joe Franklin Myers Industries, Dallas, Tex., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for bringing into compliance with the law, by destruction of the placard headed "Energy Sticklets," under the supervision of the Federal Security Agency.

ICING

18203. Adulteration of chocolate icing mix. U. S. v. 3 Bags * * *. (F. D. C. No. 31682. Sample No. 22074-L.)

LIBEL FILED: September 14, 1951, Southern District of Alabama.

ALLEGED SHIPMENT: On or about February 22 and May 14, 1951, from Atlanta, Ga.

PRODUCT: 3 25-pound bags of chocolate icing mix at Mobile, Ala.

NATURE OF CHARGE. Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 7, 1951. Default decree of condemnation and destruction.

SIRUP

18204. Adulteration and misbranding of sorghum sirup. U. S. v. 340 Cases
* * *. (F. D. C. No. 32391. Sample No. 31467-L.)

LIBEL FILED: January 4, 1952, Southern District of Illinois.

ALLEGED SHIPMENT: On or about December 6, 1951, by H. Norris or Norris Syrup Co., from West Monroe, La.

PRODUCT: 340 cases, each containing 12 5-pound cans, of sirup at Granite City, Ill.

LABEL, IN PART: (240 cases) "Good Old Country Sorghum."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum, sugar, and corn sirup had been substituted in whole or in part for sorghum.

Misbranding. Section 403 (b), the product was offered for sale under the name of another food; Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and it failed to bear the common or usual name of each such ingredient. Further misbranding, Section 403 (a), the label statement "Sorghum" was false and misleading as applied to a product composed of sorghum, sugar, and corn sirup. The product was misbranded in this respect while held for sale after shipment in interstate commerce.

DISPOSITION: January 14, 1952. J. R. Lewis, claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the product be released under bond in lieu of destruction for relabeling and/or resale under the supervision of the Federal Security Agency.

18205. Adulteration and misbranding of sorghum sirup. U. S. v. 39 Cans * * *
(and 1 other seizure action). (F. D. C. Nos. 32331, 32335. Sample Nos. 34391-L, 34393-L.)

LIBELS FILED: December 27, 1951, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about November 21, 1951, by C. L. Crum, from Shannon, Miss.

PRODUCT: 76 9½-pound cans of sirup at Du Quoin, Ill.

LABEL, IN PART: "Sorghum Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of glucose and sucrose sirup had been substituted in whole or in part for sorghum sirup.

Misbranding, Section 403 (e) (1), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.