

SACCHARINE PRODUCTS

CANDY

683. Adulteration of candy. U. S. v. 130 Boxes of Chocolate Rabbits. Default decree of condemnation and destruction. (F. D. C. No. 1699. Sample No. 13113-E.)

Examination showed that this product contained rodent hairs and that it had been prepared under insanitary conditions. The candy pieces, shaped like a rabbit's head, each contained two marbles for eyes.

On March 23, 1940, the United States attorney for the Eastern District of Washington filed a libel against 130 boxes of chocolate rabbits at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about February 14, 1940, by the Chicago Candy Co. from Chicago, Ill.; and charging that it was adulterated. It was labeled in part: "Beich Chocolate M. M. Rabbits and Marbles * * * Manufactured by Paul F. Beich Co., Bloomington-Chicago, Ill."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy substance; in that it had been prepared under insanitary conditions whereby it may have become contaminated with filth; and in that it was confectionery and bore or contained nonnutritive articles or substances, namely, small marbles, partially imbedded.

On April 29, 1940, no claimant having appeared, a decree of condemnation was entered and the product was ordered destroyed.

684. Adulteration of candy. U. S. v. 49 Boxes and 17 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. Nos. 386, 387. Sample Nos. 61027-D, 61028-D.)

This product was in interstate commerce at the time of examination and was found to be insect-infested at that time.

On August 21, 1939, the United States attorney for the Western District of Louisiana filed a libel against 66 boxes of candy at Lafayette, La., alleging that the article had been shipped within the period from on or about May 6 to on or about June 16, 1939, by Curtiss Candy Co. from Chicago, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Wrapper) "Curtiss Baby Ruth [or "Butterfinger"]."

On January 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

685. Misbranding of candy. U. S. v. 18 Cases and 12 Cases of Hoefler's Centennials. Default decrees of condemnation. Product ordered destroyed or delivered to charitable institutions. (F. D. C. Nos. 1647, 1649. Sample No. 91122-D.)

This product occupied on an average about 50 percent of the capacity of the retail carton.

On March 18, 1940, the United States attorney for the District of Oregon filed libels against 30 cases of candy at Astoria, Oreg., alleging that the article had been shipped in interstate commerce on or about February 8, 1940, by Hoefler's Centennial Chocolates from San Francisco, Calif.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading. The article was labeled in part: "Hoefler's 5¢ Centennial Rum-Butter Cream."

On May 7, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed or distributed to charitable institutions.

686. Misbranding of candy. U. S. v. 46 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. No. 1601. Sample No. 88923-D.)

The containers of this article were cellophane-wrapped, rabbit-shaped boxes with extension edges, and each one had an empty false compartment running full length, which reduced its capacity by about one-third. Each box contained two layers of candy.

On March 8, 1940, the United States attorney for the Northern District of Indiana filed a libel against 46 boxes of candy at South Bend, Ind., alleging that it had been shipped in interstate commerce on or about February 1, 1940, by the National Candy Co. from St. Louis, Mo.; and charging that it was misbranded in that the containers were so made, formed, or filled as to be misleading.

On April 24, 1940, no claimant having appeared, a decree of condemnation was entered and the product was ordered destroyed.