

On or about August 13, 1940, the United States attorney for the Eastern District of South Carolina filed a libel against 23 boxes of bar candy at Orangeburg, S. C., alleging that the article had been shipped in interstate commerce on or about July 14, 1940, by Jack's Cookie Co. from Charlotte, N. C.; and charging that it was adulterated and misbranded. A portion of the product was labeled in part: (Wrapper) "Eat More King's Royal Mellow Bars * * * King's Candy Company Charlotte, N. C."

The article was alleged to be 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 unlabeled portion was alleged to be misbranded in that it was in package form and did not bear the name and place of business of manufacturer, packer, or distributor; and did not bear an accurate statement of the quantity of the contents. It was alleged to be misbranded further in that it was fabricated from two or more ingredients and did not bear a label containing the common or usual name of each such ingredient. It was alleged to be misbranded further in that it bore or contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On September 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

940. Adulteration and misbranding of candy. U. S. v. 4 Cases and 10 Cases of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2559. Sample Nos. 20903-E, 20904-E.)

Samples of this product were found to contain rodent hairs and insect fragments. Moreover, its labeling failed to bear the name of each of the ingredients from which it was made.

On August 22, 1940, the United States attorney for the Western District of North Carolina filed a libel against 14 cases of candy labeled "Peanut Squares" at Asheville, N. C., alleging that the article had been shipped in interstate commerce on or about July 2 and July 30, 1940, by the McAfee Candy Co. from Macon, Ga.; and charging that it was adulterated and misbranded.

It was alleged to be 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.

It was alleged to be misbranded in that it was fabricated from two or more ingredients and its label did not bear the common or usual name of each such ingredient.

On September 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

941. Adulteration and misbranding of candy. U. S. v. 43 Cartons of Candy. Default decree of condemnation and destruction. (F. D. C. No. 2509. Sample No. 156-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be adulterated in that it contained rodent hairs and insect fragments. It was unlabeled and was therefore misbranded because of failure to comply with the labeling requirements of the law.

On August 8, 1940, the United States attorney for the Middle District of Georgia filed a libel against 43 cartons of candy at Valdosta, Ga., alleging that the article had been shipped in interstate commerce on or about July 24, 1940, by the Quincy Candy Co. from Quincy, Fla.; and charging that it was adulterated and misbranded.

It was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

It was alleged to be misbranded in that it was in package form but did not 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. It was alleged to be misbranded further in that it was fabricated from two or more ingredients and did not bear a label stating the common or usual name of each of such ingredients; and in that it contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On September 12, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.