

LABEL, IN PART: "Gold Brand Pecan Cream Loaf [vignette of a sliced loaf of candy containing numerous large pieces of pecan]."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, pecans, had been in part omitted from the article.

Misbranding, Section 403 (a), the name "Pecan Cream Loaf" and the vignette of a sliced loaf of candy containing numerous large pieces of pecan were misleading as applied to the article, which contained a small number of widely scattered pecan fragments.

DISPOSITION: Between June 16 and August 13, 1945, no claimant having appeared, judgments of condemnation were entered and it was ordered that the Ohio lot be destroyed and that the other lots be delivered to charitable institutions.

9050. Misbranding of candy. U. S. v. 13 Cartons of Mint Chewees. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16178. Sample No. 28734-H.)

LIBEL FILED: June 11, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about April 19, 1945, by the Walter A. Hewitt Candy Co., from Los Angeles, Calif.

PRODUCT: 13 cartons, each containing 34 boxes, of Mint Chewees at Seattle, Wash. Examination showed that the product was short-weight.

LABEL, IN PART: "Capt'n Kid Pleasure Chest Mint Chewees 1 Lb. Net Weight."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of its contents.

DISPOSITION: July 23, 1945. The Walter A. Hewitt Candy Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

9051. Misbranding of candy. U. S. v. 48 Cases of Candy. Default decree of condemnation and destruction. (F. D. C. No. 15830. Sample No. 28180-H.)

LIBEL FILED: March 30, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about February 1, 1945, by the House of Merrick, from Chicago, Ill.

PRODUCT: 48 cases, each containing 33 or 44 packages, of candy at Tacoma, Wash. Examination showed that the product was short of the declared weight.

LABEL, IN PART: (Packages) "Bertha Whitworth's Early American Confections Net Weight 10 oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: April 24, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

COCOA AND MISCELLANEOUS SACCHARINE PRODUCTS

9052. Adulteration of cocoa. U. S. v. 1 Drum of Cocoa. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 15894. Sample No. 17431-H.)

LIBEL FILED: April 20, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 2, 1945, by the Ambrosia Chocolate Co., from Milwaukee, Wis.

PRODUCT: 1 200-pound drum of cocoa at Chicago, Ill.

LABEL, IN PART: "Ambrosia Brand Dutch Process Cocoa."

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 beetles and larvae.

DISPOSITION: On January 29, 1945, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On February 12, 1945, the order was amended to permit the product to be delivered to a public institution, for use as animal feed.