

12 bags each, of Chicken Bones; 42 cases, 24 bags each, of Licorice Mix; and 199 cases, 24 bags each, of French Burnt Peanuts, at Bellevue, Wash.
 SHIPPED: Between 5-22-61 and 8-11-61, from San Jose, Calif., by Safeway Stores Candy Plant.

LABEL IN PART: (Bag) "Net Wt. 7 Oz. * * * Chocolate Stars [or "Net Wt. 11 Oz. * * * Swedish Mints" or "Net Wt. 9 Oz. * * * Butterscotch Balls" or "Net Wt. 8 Oz. * * * Chicken Bones" or "Net Wt. 12 Oz. * * * Licorice Mix" or "Net Wt. 9½ Oz. * * * French Burnt Peanuts"] * * * Safeway Stores, Incorporated Oakland, Calif."

RESULTS OF INVESTIGATION: Examination showed that the mandatory information required to appear on the label was printed on clear cellophane bags in ink of a color similar to the articles in the bags, making it difficult to read.

LIBELED: 8-29-61, W. Dist. Wash.; amended 8-31-61.

CHARGE: 403(f)—when shipped, the information required by 403 (e) (1), (e) (2), and (i) (2) to appear on the label, namely, name and address of manufacturer, packer, or distributor, quantity of contents, and ingredient statements, was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 12-11-61 and 12-21-61. Consent—claimed by Safeway Stores, Inc., Oakland, Calif. The bags of Licorice Mix were denatured for use as animal feed; the French Burnt Peanuts were delivered to a charitable institution; the remainder of the articles were relabeled.

27774. Candy. (F.D.C. No. 47391. S. Nos. 43-755/60 T.)

QUANTITY: 129 30-lb. cases, and 10 ctns., 24 15-oz. bags each, of Jelly Eggs; 13 26-lb. cases, and 26 ctns., 12 7-oz. bags each, of Nonpareils; 10 22-lb. cases, and 16 ctns., 12 7-oz. bags each, of Foil Mints; 15 25-lb. cases, and 1 ctn., containing 24 6-oz. bags, of Choco Kisses; 22 bulk cases, and 6 ctns., 12 5-oz. bags each, of Trophy Sticks; and 19 12½-lb. cases, and 2 ctns., 12 7-oz. bags each, of Malted Milk Eggs, at Camden, N.J., in possession of Kane's Kandies.

SHIPPED: Between 11-15-61 and 2-20-62, from Chicago and Melrose Park, Ill.; Elizabethtown, Reading, and Hershey, Pa.; and Albany, Ga.

LABEL IN PART: (Bag) "Kane's Kandies Jelly Eggs [or "Nonpareils" or "Foil Mints" or "Choco Kisses" or "Asst. Sticks" or "Malted Milk"] * * * Kane's Kandies Camden, N.J."

RESULTS OF INVESTIGATION: The articles were repacked by the dealer, from bulk stock shipped as described above, into transparent cellophane bags, on which the name of the candy, quantity of contents, and ingredients statements were over stamped with a white, soft crayon-like substance which was easily rubbed off, resulting in blurred statements which were nearly illegible in most cases. The name and address of the repacker was printed on the back of the bag in all cases except the Trophy Sticks.

LIBELED: 3-21-62, Dist. N.J.

CHARGE: 403(f)—while held for sale, the information required by 403(e) (1) (all lots except Trophy Sticks) and (all lots) 403 (e) (2) and (i) (2), to appear on the label, namely, the name and place of business of the manufacturer, packer, or distributor, the quantity of contents statement, and the common or

usual name of each ingredient, was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use; and 403(i)(2)—the articles were fabricated from two or more ingredients, and their labels failed to bear the common or usual name of each such ingredient.

DISPOSITION: 3-29-62. Consent—claimed by Kane's Kandies, and released under bond for repacking and relabeling.

27775. Caramel popcorn. (F.D.C. No. 46868. S. No. 34-344 T.)

QUANTITY: 40 cases, 18 bags each, at Minneapolis, Minn.

SHIPPED: 12-20-61, from Madison, Wis., by Red Dot Foods, Inc.

LABEL IN PART: (Bag) "Red Dot Caramel Popcorn Ingredients: * * * 7¼ Oz. Red Dot Foods, Inc., Executive Office Madison, Wisconsin * * * 1175."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 1-5-62, Dist. Minn.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 3-2-62. Default—delivered to charitable institutions.

SIRUP AND SUGAR

27776. Sorghum sirup. (F.D.C. No. 46930. S. No. 2-814 T.)

QUANTITY: 96 cases, 12 22-oz. btls. each, at Eastman, Ga.

SHIPPED: On unknown date, from Joplin, Mo., by M & M Sorghum Co.

LABEL IN PART: (Btl.) "Sorghum Made for and Sold by M&M Sorghum Company, 1205 Virginia Ave. Joplin, Mo."

RESULTS OF INVESTIGATION: Examination showed the article to be a mixture of sorghum with invert sugar sirup.

LIBELED: 1-18-62, S. Dist. Ga.

CHARGE: 402(b)(2)—when shipped, a mixture of sorghum with invert sugar sirup had been substituted in whole or in part for sorghum sirup; and 403(a)—the label statement "Sorghum" was false and misleading.

DISPOSITION: 3-16-62. Default—delivered to a charitable institution.

27777. Sorghum sirup. (F.D.C. No. 46015. S. Nos. 24-303/4 R, 24-358/9 R.)

INFORMATION FILED: 8-15-61, E. Dist. Okla., against Clifton S. Watson, t/a C. S. Watson, Haileyville, Okla.

SHIPPED: 8-20-60 and 10-18-60, from Oklahoma to Missouri.

LABEL IN PART: (Can) "Watson's Indian Creek Brand Syrup SORGHUM Made From Cane. Made for C. S. Watson . . . P.O. Box 12 Haileyville, Oklahoma."

RESULTS OF INVESTIGATION: The article was a mixture of invert sugar sirup and sorghum sirup which contained less than one-half sorghum sirup.

CHARGE: 402(b)(2)—a substance other than sorghum had been substituted in part for sorghum which the food was represented to be; and 403(a)—the label statement "SORGHUM MADE FROM CANE" was false and misleading in that the statement represented and suggested that the food consisted of