

CHARGE: 402(a)(3)—portions of the articles contained insects, insect webbing, larvae, cast skins, and excreta; and 402(a)(4)—all lots of the articles were held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 11-22-63. \$1,000 fine against the defendants jointly.

29136. **Chocolate candy.** (F.D.C. No. 46945. S. No. 4-714 T.)

QUANTITY: 61 cases, each containing 24 bags, at Norfolk, Va.

SHIPPED: 1-12-62, from Chattanooga, Tenn., by Brock Candy Co.

LABEL IN PART: (Bag) "Big Star Chocolate Bridge Mix * * * Net Wt. 9 oz. Distributed by Colonial Stores Incorporated, Atlanta, Georgia."

RESULTS OF INVESTIGATION: The article consisted of brown-colored pieces of candy of various sizes contained in a clear plastic bag. The mandatory information was printed on the bag in small print in brown-colored ink, and was inconspicuous because of the brown-colored candy in the background.

LIBELED: 1-29-62, E. Dist. Va.

CHARGE: 403(f)—when shipped, the information required to appear on the label under 403(e)(1) and (2), 403(i)(2), and 403(k), namely, the distributor's name and address and the quantity of contents statement, the common or usual name of each ingredient, and the statement of artificial color and flavor 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.

DISPOSITION: The article was claimed by the Brock Candy Co., Chattanooga, Tenn. The Government filed written interrogatories on 4-30-62, which were answered by the claimant on 6-13-62. On 2-15-63, a decree of condemnation was entered and the article was destroyed.

29137. **Fruit-filled candy.** (F.D.C. No. 49210. S. No. 7-299 X.)

QUANTITY: 16 cases, each containing 24 bags, at Boston, Mass.

SHIPPED: 6-26-63, from Inwood, N.Y., by A&F Candy Manufacturing Co., Inc.

LABEL IN PART: (Bag) "A&F American's Finest Candies Assorted Fruit Filled Ingredients * * * Net Wt. 14 Oz. A&F Candy Mfg. Co., Inwood 96, N.Y."

RESULTS OF INVESTIGATION: The articles were approximately 4 percent short weight.

LIBELED: 7-31-63, Dist. Mass.

CHARGE: 403(e)(2)—when shipped, the label statement "Net Wt. 14 Oz." was inaccurate.

DISPOSITION: 10-14-63. Default—ordered destroyed or given to a charitable institution.

29138. **Salt water taffy.** (F.D.C. No. 48779. S. No. 21-187 V.)

QUANTITY: 720 cases, each containing 12 15-oz. bags, at Spokane, Wash.

SHIPPED: 5-3-63, from Salt Lake City, Utah, by Glade Candy Co.

LABEL IN PART: (Bag) "Powers Salt Water Taffy."

LIBELED: 5-17-63, E. Dist. Wash.