

**4557. Adulteration and misbranding of ground chocolate. U. S. \* \* \* v. Hudson Gram Co., (inc.), a corporation. Plea of guilty. Fine, \$10.**  
(F. & D. No. 6815. I. S. No. 23212-h.)

On March 2, 1916, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Hudson Gram Co., (Inc.), a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 10, 1914, from the State of Oregon into the State of Washington, of a quantity of ground chocolate which was adulterated and misbranded. The article was labeled: "H & G Brand Ground Chocolate Net Weight 8 oz. H & G Brand Packed for The Hudson & Gram Co. Inc. Portland."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

		Water, sugar, and fat-free basis.
Moisture (per cent)-----	2.80	
Ash, total (per cent)-----	2.70	
Ash, water-insoluble (per cent)-----	1.75	7.80
Water-insoluble ash in total ash (per cent)-----	64	
Alkalinity of soluble ash (cc N/10 HCl per ash of 1 gram)-----	0.9	
Fat (per cent)-----	16.03	
Fat, water- and sugar-free basis (per cent)-----	31.65	
Melting point of fat (° C.)-----	32-34	
Refractive index of fat at 40° C.-----	1.4574	
Crude fiber (per cent)-----	2.08	6.01
Sucrose, by polarization (per cent)-----	46.56	
Lactose, by polarization-----	None.	

Microscopic examination does not show added starch.

A sweetened cocoa and not a chocolate.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, sugar, had been substituted in part for ground chocolate, which the article purported to be, and for the further reason that a valuable constituent of ground chocolate, to wit, cocoa fat, had been in part extracted.

Misbranding was alleged for the reason that the statement, to wit, "Ground Chocolate," borne on the label of the article, was false and misleading in that it represented that the article was ground chocolate, and deceived and misled the purchasers thereof into the belief that it was ground chocolate, whereas, in truth and in fact, it was not, but was a mixture consisting of ground-cocoa and sugar.

On March 3, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*