

vanillin, and sodium benzoate. The cocoa substitute was alleged to be misbranded in that the statement "Breakfast Cocoa Substitute" was false and misleading since the product, when brewed in a manner similar to cocoa, did not have any "cocoa" characteristics and would not be regarded as a "breakfast cocoa substitute."

The cocoa substitute and the portions of the chocolate sirup substitute at Gardiner, Maine, and Miami, Fla., were alleged to be misbranded further in that they were fabricated from two or more ingredients and their labels failed to bear the common or usual name of each such ingredient since cocoa shells were not declared, and in that they contained artificial flavoring, vanillin, and failed to bear labeling stating that fact.

The chocolate sirup substitute located at Providence, R. I., was alleged to be misbranded in that the statements "Net Wt. 1 Lb." and "Net Wt. 1 Pt." appearing on the jars were false and misleading as applied to the article since it was short of the declared weight or volume, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

Between April 21 and August 23, 1943, no claimant having appeared, judgments of condemnation were entered. The product located at Providence, R. I., was ordered distributed to a charitable institution and the products located at Gardiner, Maine, and Miami, Fla., were ordered destroyed.

4953. Adulteration of cocoa beans. U. S. v. 225 Bags of Cocoa Beans. Consent decree of condemnation. Product ordered released under bond to be denatured and processed into soap stock. (F. D. C. No. 9416. Sample No. 18587-F.)

This product had become contaminated with chromic acid, after its receipt in interstate commerce, as a result of a leakage of chromic acid from a tank located on the floor above the room where it was stored.

On February 27, 1943, the United States attorney for the District of New Jersey filed a libel against 225 140-pound bags of cocoa beans at Elizabeth, N. J., alleging that the article had been shipped in interstate commerce on or about May 5, 1942, from New York, N. Y.; and charging that it was adulterated in that it contained an added deleterious substance, chromic acid, which might render it injurious to health.

On July 3, 1943, Samuel Cranston, having appeared as claimant and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be denatured under the supervision of the Food and Drug Administration and manufactured into soap stock.

SUGAR

4954. Adulteration of sugar. U. S. v. 79 Bags of Sugar. Default decree of condemnation and destruction. (F. D. C. No. 8661. Sample No. 6065-F.)

This product was being stored, after shipment, under insanitary conditions; many of the bags had been cut by rodents, and rodent pellets and what appeared to be rodent urine stains were noted on a large number of the bags.

On October 30, 1942, the United States attorney for the Western District of Arkansas filed a libel against 79 100-pound bags of sugar at Nashville, Ark., in the possession of the Wooten Grocery Co., alleging that the article had been shipped in interstate commerce on or about July 30, 1942, from Reserve, La.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: "Godchaux's Pure Cane Sugar * * * Extra Fine Granulated."

On January 18, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4955. Adulteration of cane sugar. U. S. v. 7½ Bags of Cane Sugar. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 8185. Sample No. 4616-F.)

This product had been stored under insanitary conditions after shipment and, when examined, it was contaminated with rodent excreta pellets and rodent hairs, there were rodent pellets on and around the bags, and numerous bags showed rodent urine stains.

On August 22, 1942, the United States attorney for the Eastern District of Tennessee filed a libel against 7½ bags, each full bag containing 100 pounds, of cane sugar at Chattanooga, Tenn., alleging that it had been shipped on or about April 7, from New Orleans, La., and that it was in the possession of the C. D. Kenny Co. at Chattanooga, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed substance, and in that it had