

ALLEGED SHIPMENT: Between the approximate dates of June 2 and November 14, 1945, by the Hershey Chocolate Corporation, Hershey, Pa.

PRODUCT: 401 bales of chocolate coating at Cincinnati, Ohio.

LABEL, IN PART: "Hershey's Chocolate Coating Kroger Special Liquor," or "Hershey's Midwest [or "Hershey's Puritan Flavored"] Sweet Chocolate Coating."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect parts and larvae.

DISPOSITION: February 11, 1946. The Kroger Grocery and Baking Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be cleaned so that it would comply with the law, under the supervision of the Food and Drug Administration.

9280. Adulteration of chocolate coating. U. S. v. 38 Bales and 8 Bales of Chocolate Coating. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18884. Sample No. 51009-H.)

LIBEL FILED: January 23, 1946. District of Minnesota.

ALLEGED SHIPMENT: On or about August 17 and October 9, 1943, from Brooklyn, N. Y., and on or about January 18 and February 2, 1944, from Elizabethtown, Pa.

PRODUCT: 38 200-pound bales and 8 200-pound bales of chocolate coating at St. Paul, Minn., in the possession of Griggs, Cooper and Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 26, 1946. Griggs, Cooper and Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

9281. Adulteration of chocolate coating. U. S. v. 26 Boxes of Chocolate Coating. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18555. Sample No. 52415-H.)

LIBEL FILED: December 13, 1945, Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 15 and June 11, 1945, by Lamont, Corliss and Co., from Fulton, N. Y.

PRODUCT: 26 50-pound boxes of chocolate coating at Kenton, Ohio.

LABEL, IN PART: "Viking Chocolate Coating."

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 insect fragments and larvae.

DISPOSITION: January 11, 1946. The Runkle Co., Kenton, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration.

9282. Adulteration and misbranding of chocolate-flavored sirup. U. S. v. 30 Cases of Chocolate Flavored Syrup. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 18630. Sample No. 8201-H.)

LIBEL FILED: On or about December 6, 1945, District of Connecticut.

ALLEGED SHIPMENT: On or about September 14, 1945, by the J & R Syrup Co., from New York, N. Y.

PRODUCT: 30 cases, each containing 24 1-pound jars, of chocolate-flavored sirup at New Haven, Conn.

LABEL, IN PART: (Jar) "Mary-Lou Brand Chocolate Flavored Syrup Sugar Syrup, Maltose, Cocoa Flavored Artificially with Vanillin."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance consisting of malt sirup with a small amount of cocoa had been substituted in whole or in part for chocolate-flavored sirup.

Misbranding, Section 403 (a), the designation "Chocolate Flavored Syrup" was false and misleading.

DISPOSITION: January 16, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

9283. Adulteration of cocoa beans. U. S. v. 99 Bags of Cocoa Beans. Consent decree of condemnation and destruction. (F. D. C. No. 18842. Sample No. 23536-H.)

LIBEL FILED: January 21, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 7, 1943, by Middleton and Co., Ltd., from New Orleans, La.

PRODUCT: 99 bags, each containing approximately 200 pounds, of cocoa beans at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of filthy and decomposed substances by reason of the presence of insects and insect-damaged and moldy beans.

DISPOSITION: March 14, 1946. The consignee of the product having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

DAIRY PRODUCTS

BUTTER

9284. Adulteration of butter and ice cream. U. S. v. Sheridan Creamery Co. Plea of guilty. Fine, \$100. (F. D. C. No. 19027. Sample Nos. 27046-H, 27050-H.)

INFORMATION FILED: March 8, 1946, District of Wyoming, against the Sheridan Creamery Co., a corporation, Sheridan, Wyo.

ALLEGED SHIPMENT: On or about July 29 and 31, 1945, from the State of Wyoming into the State of Montana.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of human hair, an insect skin fragment, fibers, plant tissues, carbon, and nondescript dirt in the ice cream and of a feather barbule, an insect leg, an insect seta, plant tissue, fibers, and nondescript dirt in the butter; and, Section 402 (a) (4), the products had been prepared, packed, or held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: March 27, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50 on each of the 2 counts.

9285. Adulteration of butter. U. S. v. Price's Creameries, Inc. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 16626. Sample Nos. 31086-H, 32422-H, 32423-H.)

INFORMATION FILED: January 29, 1946, District of New Mexico, against Price's Creameries, Inc., Portales, N. Mex.

ALLEGED SHIPMENT: On or about May 16 and June 6, 1945, from the State of New Mexico into the State of California.

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 an insect body, insect parts, insect fragments, rodent hairs, cow hair, cat hair, a fragment resembling manure, fibrous pieces, pieces of wood, scale material, and nondescript dirt; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth.

Further adulteration (portion), Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: March 7, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100 on each count, a total fine of \$300.