

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2) the label of the article failed to contain an accurate statement of the quantity of the contents.

**DISPOSITION:** January 9, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization, for food purposes.

#### CHOCOLATE AND CHOCOLATE PRODUCTS

**11352. Adulteration of chocolate. U. S. v. 3 Bags \* \* \*. (F. D. C. No. 20628. Sample No. 49686-H.)**

**LIBEL FILED:** August 9, 1946, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about June 12, 1946, by Blumenthal Brothers, from Philadelphia, Pa.

**PRODUCT:** 3 bags, each containing 18 10-pound slabs, of chocolate at Houston, Tex.

**LABEL, IN PART:** "Fehr Baking Co. Houston, Texas."

**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 larvae.

**DISPOSITION:** October 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11353. Adulteration of chocolate coating. U. S. v. 5 Bales \* \* \*. (F. D. C. No. 20596. Sample No. 52678-H.)**

**LIBEL FILED:** July 31, 1946, Southern District of Indiana.

**ALLEGED SHIPMENT:** On or about October 3, 1945, from Buffalo, N. Y.

**PRODUCT:** 5 bales, each containing 200 pounds, of chocolate coating at Indianapolis, Ind., in possession of the Indianapolis Warehouse & Storage Co. The article was stored under insanitary conditions after shipment. Some of the bales were rodent-gnawed, and rodent excreta was observed on them. Examination showed that the article had been gnawed by rodents.

**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:** September 5, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

**11354. Adulteration of chocolate liquor. U. S. v. 16 Bags \* \* \*. (F. D. C. No. 21117. Sample No. 53083-H.)**

**LIBEL FILED:** September 27, 1946, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about December 10, 1945, by the Bachman Chocolate Mfg. Co., from Mt. Joy, Pa.

**PRODUCT:** 16 200-pound bags of chocolate liquor at Cleveland, Ohio.

**LABEL, IN PART:** "Bachman Chocolate Coatings and Liquors."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of insect infestation.

**DISPOSITION:** October 17, 1946. The Cleveland Fruit Juice Co., claimant, having admitted the facts set forth in the libel, judgment of condemnation was entered and the product was ordered released under bond to be cleaned and the unfit portion to be destroyed, under the supervision of the Food and Drug Administration.

#### SIRUP AND SUGAR

**11355. Adulteration of maltose sirup. U. S. v. 29 Drums \* \* \*. (F. D. C. No. 20583. Sample No. 63928-H.)**

**LIBEL FILED:** August 2, 1946, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about May 20, 1946, by Desendorf, Inc., from Newark, N. J.

**PRODUCT:** 29 650-pound drums of maltose sirup at Brooklyn, N. Y. Examination showed that the product was in an active state of fermentation.

**LABEL, IN PART:** "Maltose Syrup \* \* \* Illinois Syrup Co. Brooklyn, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.