

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The candy bars were short of the declared weight.)

DISPOSITION: November 21, 1950. Default decree of forfeiture. The court ordered that the product be delivered to a charitable institution.

CHOCOLATE

16920. Adulteration of chocolate. U. S. v. 32 Cartons * * *. (F. D. C. No. 29906. Sample No. 77614-K.)

LIBEL FILED: September 27, 1950, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about June 1, 1950, from Buffalo, N. Y.

PRODUCT: 32 50-pound cartons of chocolate at St. Louis, Mo.

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 insects and insect webbing. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 12, 1950. The Mavrakos Candy Co., St. Louis, Mo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was salvaged by scraping and brushing. As a result of these operations, 1,550 pounds of chocolate were found fit for human consumption, and 50 pounds were found unfit and were destroyed.

SIRUP

16921. Adulteration and misbranding of sorghum sirup. U. S. v. 13 Cans, etc. (F. D. C. No. 29936. Sample No. 76477-K.)

LIBEL FILED: October 19, 1950, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about August 29, 1950, by L. T. Thompson, from Durant, Okla.

PRODUCT: Sorghum sirup. 13 9-pound cans and 51 4½-pound cans at Benton, Ark.

LABEL, IN PART: "Sorghum Made of Cane Products Made For and Sold by L. T. Thompson."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), glucose had been substituted in part for sorghum.

Misbranding, Section 403 (a), the name "Sorghum" was false and misleading as applied to an article which contained glucose; Section 403 (e) (1), the article failed to bear a label containing the place of business of the manufacturer, packer, or distributor; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement was not in terms of liquid measure.

DISPOSITION: November 22, 1950. Default decree of condemnation. The court ordered that the product be delivered to a State institution for its use and not for sale.