

LABEL, IN PART: "Charland's 24 5¢ Marshmallow Delight [or "Pecan Fudge Square"]," "120 Count Coconut Fudge," or "Home Made Style 120 Count Brazil Fudge."

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 rodent hairs and insect parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 26, 1952. Default decree of condemnation and destruction.

COCOA

19217. Adulteration and misbranding of cocoa. U. S. v. 34 Bags * * *. (F. D. C. No. 32991. Sample No. 38027-L.)

LIBEL FILED: March 31, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about February 29, 1952, by the Clinton Chocolate Co., from Boston, Mass.

PRODUCT: 34 100-pound bags of cocoa at Brooklyn, N. Y.

LABEL, IN PART: "Harvard Brand Cocoa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), flour had been substituted in part for cocoa; and, Section 402 (b) (4), flour had been added to the product and mixed and packed with it so as to increase its bulk and weight.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for cocoa since it contained flour, which is not a permitted optional ingredient of cocoa.

DISPOSITION: August 1, 1952. The Clinton Chocolate Co., 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, for the segregation of the portion that was in compliance with the law and the reprocessing of the remainder, under the supervision of the Food and Drug Administration.

Segregation operations resulted in the salvaging of 19 bags of pure cocoa. The 15 bags of flour-adulterated cocoa were converted to a chocolate-flavored dessert mix and were labeled accordingly.

19218. Adulteration and misbranding of cocoa. U. S. v. 28 Bags * * *. (F. D. C. No. 32916. Sample No. 11936-L.)

LIBEL FILED: March 26, 1952, Southern District of Ohio.

ALLEGED SHIPMENT: On or about February 13 and 29, 1952, by J. F. Braun & Son, Inc., from New York, N. Y.

PRODUCT: 28 100-pound bags of cocoa at Reading, Ohio.

LABEL, IN PART: "Harvard Brand Cocoa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), flour had been substituted in part for cocoa; and, Section 402 (b) (4), flour had been added to the product and mixed and packed with it so as to increase its bulk or weight.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for cocoa since it contained flour, which is not permitted as an optional ingredient of cocoa. (Examination disclosed that the product contained approximately 10 percent flour.)

DISPOSITION: July 21, 1952. The Clinton Chocolate Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered

and the court ordered that the product be released under bond to be used in the manufacture of a chocolate-flavored cornstarch dessert, under the supervision of the Food and Drug Administration.

SIRUP

19219. Adulteration and misbranding of sorghum sirup. U. S. v. 136 Cans, etc.
(F. D. C. No. 32920. Sample No. 34248-L.)

LIBEL FILED: March 31, 1952, Western District of Tennessee.

ALLEGED SHIPMENT: On or about September 25, 1951, by B. F. Amis, from Conehatta, Miss.

PRODUCT: 136 unlabeled 1-gallon cans of sirup and a number of accompanying labels at Munford, Tenn.

LABEL, IN PART: "Sorghum Produced By Quincy Bright Conehatta, Miss."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum, corn sirup, and sugar had been substituted in whole or in part for sorghum. Misbranding, Section 403 (a), the label designation "Sorghum" was false and misleading.

DISPOSITION: May 7, 1952. Default decree of condemnation and destruction. (Post-seizure examination disclosed that the product had become unfit for human consumption because of spoilage.)

19220. Adulteration and misbranding of sorghum sirup. U. S. v. 51 Jars * * *.
(F. D. C. No. 32960. Sample No. 13985-L.)

LIBEL FILED: March 18, 1952, District of New Mexico.

ALLEGED SHIPMENT: On or about January 14, 1952, by J. L. Kimbell, from Oklahoma City, Okla.

PRODUCT: 51 1-gallon jars of sirup at Albuquerque, N. Mex.

LABEL, IN PART: "East Texas, Sorghum Syrup Made by H. D. Knight Sulphur Springs, Texas Weight 5 Pounds."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum sirup and corn sirup had been substituted in whole or in part for sorghum sirup.

Misbranding, Section 403 (a), the label statement "Sorghum Syrup" was false and misleading; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the jars contained less than the labeled 5 pounds.

DISPOSITION: April 21, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

19221. Misbranding of sorghum sirup. U. S. v. 108 Cans * * *. (F. D. C. No. 33121. Sample No. 34247-L.)

LIBEL FILED: May 7, 1952, Western District of Tennessee.

ALLEGED SHIPMENT: On or about November 15, 1951, by M. Dawson, from Springdale, Ark.

PRODUCT: 108 ½-gallon cans of sirup at Gates, Tenn.

LABEL, IN PART: "Dawson's Sorghum Syrup Made From Sorghum Cane, Enriched With Cane Sugar and Glucose."