

CHARGE: 402(b)(1)—when shipped a valuable constituent, chocolate, had been in whole or in part omitted from the article; 402(b)(2)—cocoa had been in whole or in part substituted for chocolate; and 403(a)—the label statement "Chocolate Fudge Sandwich" was false and misleading as applied to a product which contained no chocolate.

DISPOSITION: 10-14-59. Default—destruction.

25752. Crackers. (F.D.C. No. 42194. S. No. 29-624 P.)

QUANTITY: 126 1-lb. boxes at Dallas, Tex.

SHIPPED: 7-22-58, from Milton, Mass., by G. H. Bent Co.

LABEL IN PART: (Box) "Cold Water Crackers * * * contains no salt or shortening of any kind * * * no salt added No shortening No sugar."

LIBELED: 10-8-58, N. Dist. Tex.

CHARGE: 402(a)(3)—contained insects; 402(a)(4)—prepared under insanitary conditions; and 403(j)—the article purported to be and was represented as a food for special dietary use (1) by reason of its use as a means of regulating the intake of protein, fat, carbohydrate, or calories, for the purpose of controlling body weight, or for the purpose of dietary management with respect to disease, and its label failed to bear, as required by regulations, a statement of the percentage by weight of protein, fat, and available carbohydrates in the article, and the number of available calories supplied by a specified quantity of the article and (2) by reason of its use as a means of regulating the intake of sodium, and its label failed to bear, as required by regulations, a statement of the number of milligrams of sodium in an average serving of the article.

DISPOSITION: 11-7-58. Default—delivered to a Federal institution for consumption by animals.

CORNMEAL*

25753. Cornmeal. (F.D.C. No. 43377. S. No. 6-144 P.)

QUANTITY: 117 cases, 12 2-lb. bags each, at Salisbury, Md.

SHIPPED: 8-6-59, from Como, N.C.

LIBELED: 8-28-59, Dist. Md.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 9-25-59. Default—destruction.

25754. Cornmeal and flour. (F.D.C. No. 42627. S. Nos. 38-632/3 P.)

QUANTITY: 128 25-lb. bags of cornmeal and 105 25-lb. bags of flour at Malvern, Ark., in possession of Clem Wholesale Grocer Co.

SHIPPED: Between 4-14-58 and 9-26-58, from Memphis, Tenn., and Wichita Falls, Tex.

LIBELED: 12-4-58, W. Dist. Ark.

CHARGE: 402(a)(3)—contained (cornmeal) rodent urine and rodent excreta, and (flour) insects; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 1-22-59. Default—delivered to a public institution, for use as animal feed.

*See also No. 25755.