

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 1332.

(Given pursuant to section 4 of the Food and Drugs Act.)

### ADULTERATION AND MISBRANDING OF CHOCOLATE.

On July 28, 1911, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Brewster Cocoa Manufacturing Co., a corporation, Jersey City, N. J., alleging shipment by it, in violation of the Food and Drugs Act of June 30, 1906, on or about December 10, 1910, from the State of New Jersey into the State of Ohio of a quantity of chocolate which was adulterated and misbranded. The product was labeled: "100 lbs. Passaic Pure Chocolate—Passaic 1104 Pure Chocolate. Manufactured for Hilker & Bletsch Company, Cincinnati."

Analysis of a sample of said product by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

H <sub>2</sub> O (per cent).....	1.70
Ash, total (per cent).....	3.50
Ash, insoluble (per cent).....	1.70
Ash, soluble (per cent).....	1.80
Ash, insoluble in HCl (per cent).....	.14
Alkalinity total ash (cc per gram).....	4.0
Alkalinity soluble ash (cc per gram).....	2.0
Alkalinity insoluble ash (cc per gram).....	2.9
Ether extract (per cent).....	49.50
Proteid (per cent).....	14.0
Crude fiber (per cent).....	2.40
Microscopic examination.....	O. K.
Starch test.....	Positive.
Polarization, direct, at 25° C.....°V..	+4.6
Polarization, invert, at 25° C.....°V..	— .8
Polarization, invert, at 87° C.....°V..	0.0
Sucrose, Clerget (per cent).....	4.15
Reducing sugar after inversion, as invert (per cent).....	11.95

Micro-chemical examination in second analysis showed small amount of corn starch.

Adulteration was alleged for the reason that the product contained substances which had been substituted in part for said article, to wit, sugar and corn starch, which substances had been mixed with and added to said product so as to reduce and lower and injuriously affect the quality and strength thereof. Misbranding was alleged for the reason that the label thereof was false and misleading in that said product was not pure chocolate but contained substances which had been substituted in part therefor, to wit, sugar and corn starch, and further because said product was labeled so as to deceive and mislead the purchaser into the belief that it was a pure chocolate, conforming to the standard for such article, when in fact said product was a mixture of chocolate, corn starch, and sugar.

On October 24, 1911, the defendant pleaded non vult and was fined \$100.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 25, 1912.*

