

35 boxes of candy at Brooklyn, N. Y., 22 cartons of candy at New Haven, Conn., and 91 boxes of candy at Hartford, Conn., alleging that the articles had been shipped in interstate commerce within the period from on or about January 25 to February 1, 1943, by Chocolat-Menier from Hoboken, N. J.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they may have become contaminated with filth. One lot of candy was also misbranded. The articles were labeled in part: "Maple Cream Walnut," "Peanut Clusters," "Plantation," "Sour Orange," "Vanilla Creams," "Chips," "Sweet Chocolate."

Portions of the candy labeled in part "Sour Orange" were alleged to be misbranded in that they contained artificial coloring and failed to bear labeling stating that fact.

Between March 8 and April 29, 1943, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

CHOCOLATE PRODUCTS

4751. Adulteration and misbranding of chocolate topping and icing substitute. U. S. v. 20 Cases of Chocolate Fudge Topping & Icing Substitute. Default decree of condemnation and destruction. (F. D. C. No. 9462. Sample No. 20173-F.)

This product was moldy. Its labeling failed to declare that it contained artificial flavoring.

On March 2, 1943, the United States attorney for the District of Rhode Island filed a libel against 20 cases of the above-named product at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about January 7, 1943, by the Royale Popcorn Co., Inc. from Cleveland, Ohio; and charging that it was adulterated and misbranded. The article was labeled in part: (Jars) "Robinson's Fine Chocolate Fudge Topping & Icing Substitute * * * Vanalin for flavor * * * Manufactured by J. B. Robinson * * * Cleveland, Ohio."

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance. It was alleged to be misbranded in that it contained an artificial flavoring, (vanillin), and its labeling failed to state that fact.

On April 21, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4752. Adulteration of chocolate sirup substitute. U. S. v. 21 Cases of Chocolate Sirup Substitute. Default decree of condemnation and destruction. (F. D. C. No. 10255. Sample No. 33675-F.)

Examination showed that this article was decomposed.

On July 14, 1943, the United States attorney for the Western District of New York filed a libel against 21 cases, each containing 24 jars, of chocolate sirup substitute at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about May 13, 1943, by the Royale Popcorn Co., Cleveland, Ohio, and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Jar) "Robinson's Sweet Chocolate Sirup Substitute * * * Packed by J. B. Robinson * * * Cleveland, Ohio."

On August 16, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4753. Misbranding of cocoa substitute. U. S. v. 2 Cases of Cocoa Substitute. Default decree of condemnation and destruction. (F. D. C. No. 9470. Sample. No. 31934-F.)

This product contained no roasted soya beans or maltose, as declared on the label, but did consist largely of pea flour with smaller amounts of cocoa powder. Its labeling failed to state that it contained artificial flavoring.

On March 5, 1943, the United States attorney for the Southern District of Indiana filed a libel against 2 cases, each containing 24 1-pound packages, of cocoa substitute at Indianapolis, Ind., alleging that the article had been shipped in interstate commerce on or about January 14, 1943, by the Royale Popcorn Co., Inc., from Cleveland, Ohio, and charging that it was misbranded. The article was labeled in part: (Pkgs.) "Robinson's Fine Breakfast Cocoa Substitute * * * Fresh Selected Roasted Soya Beans, Blended with Maltose * * * Vanillin for Flavor * * * Packed by J. B. Robinson * * * Cleveland, O."