

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a mixture of cocoa, cocoa shells, sugar, and other ingredients had been substituted in whole or in part for cocoa, which the article purported or was represented to be; and, Section 402 (b) (4), cocoa shells had been added thereto or mixed or packed therewith so as to reduce its quality or strength.

Misbranding (labeled bags), Section 403 (a), the name "Cocoa" and the statement "Contents of this bag make 10 gallons of finished selected chocolate drink" were false and misleading as applied to the product; and, Section 403 (1) (2), the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient. Misbranding (unlabeled bags), Section 403 (e) (1), the product was in package form and failed to bear a label containing the place of business of the manufacturer; Section 403 (e) (2), it failed to bear an accurate statement of the quantity of the contents; and, Section 403 (1) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: May 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. The article was delivered to a Federal penitentiary for destruction by mixing with animal feed.

6453. Adulteration of chocolate liquor. U. S. v. 10 Cartons of Chocolate Liquor. Default decree of condemnation and destruction. (F. D. C. No. 11997. Sample No. 58738-F.)

LIBEL FILED: March 13, 1944, District of Columbia.

ALLEGED SHIPMENT: On or about February 23, 1944, by the Clover Dairy Corporation, from Colmar Manor, Md.

PRODUCT: 10 cartons, each containing 5 10-pound bars, of chocolate liquor, at Washington, D. C.

LABEL, IN PART: (Cartons) "Wilbur-Suchard Chocolate Co., Inc., Phila., Pa., Lititz, Pa."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance in that it was contaminated with insects, larvae, insect fragments, and rodent hair fragments.

DISPOSITION: May 10, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

SIRUPS AND SUGAR

6454. Adulteration and misbranding of cane sirup. U. S. v. 24 Cases of Cane Syrup. Default decree of condemnation and destruction. (F. D. C. No. 11633. Sample No. 57811-F.)

LIBEL FILED: January 18, 1944, District of Colorado.

ALLEGED SHIPMENT: On or about October 13, 1943 by Oscar H. Kerr (Kerr Bros. Produce), from Sulphur Springs, Tex.

PRODUCT: 24 cases, each containing 6 8-pound, 8-fluid-ounce jars of cane sirup at Colorado Springs, Colo.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of mites.

Misbranding, Section 403 (a), the name "Ribbon Cane Syrup" on the label was false and misleading as applied to the article, which consisted of a mixture of ribbon cane sirup, sugar, and corn sirup; and, Section 403 (b), it was offered for sale under the name of another food.

DISPOSITION: March 2, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6455. Adulteration and misbranding of imitation maple sirup. U. S. v. 414 Cases and 393 Cases of Imitation Maple Syrup. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. No. 11819, 12852. Sample Nos. 30047-F, 30050-F, 55968-F, 55969-F, 64883-F.)

LIBELS FILED: March 18 and July 18, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about December 2, 1943, and January 22, 1944, by the Whitehall Food Manufacturing Corporation, from Brooklyn, N. Y., and Kingsland, N. J.

PRODUCT: 393 cases, each containing 12 quart bottles, and 414 cases, each containing 4 1-gallon jugs of imitation maple sirup at Seattle, Wash.

Examination showed that the product was fermented.

LABEL, IN PART: "Maison Royal Pancake [or "Imitation Maple"] Syrup."