

**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."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (a), the statement on the labeling, "Made from pure cane sugar syrup," was false and misleading as applied to the article, which was a sugar and water solution, containing about 55 percent of sugar in one lot and 59 percent of sugar in the remaining lot, whereas the established standard for sugar sirup requires that it shall contain not less than 65 percent of sugar.

**DISPOSITION:** April 12 and September 13, 1944. The Whitehall Food Manufacturing Corp., claimant for one lot, and Ruben E. Lovgren, trading as Ferry Concessions, claimant for the remainder, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation and relabeling of the fit portion under the supervision of the Food and Drug Administration.

**6456. Adulteration of sugar. U. S. v. 91 Bags of Sugar. Decree of condemnation. Product ordered released under bond.** (F. D. C. No. 11854. Sample No. 41440-F.)

**LIBEL FILED:** February 17, 1944, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about November 15, 1943, from Reserve, La.

**PRODUCT:** 91 100-pound bags of sugar at Houston, Tex., in possession of the Quick Service Warehouse & Cold Storage Co.

The article had been stored under insanitary conditions after shipment. The bags were rodent-gnawed and contained urine stains. Examination of samples showed that the product was contaminated with rodent excreta, rodent hairs, and urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 14, 1944. The claimant having admitted that some portion of the product was adulterated, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed and brought into compliance with the law under the supervision of the Food and Drug Administration. The sugar was melted and re-refined.

**6457. Adulteration of cane sugar. U. S. v. 1,894 Bags of Sugar (and 3 other seizure actions against sugar.) Decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 11813, 11945, 11982, 12039. Sample Nos. 61014-F, 61178-F, 61466-F, 61467-F.)

**LIBELS FILED:** Between February 14 and March 18, 1944, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** The article arrived at New Orleans, La., from on or about October 17 to 23, 1942, having been shipped from Havana, Cuba.

**PRODUCT:** 8,003 100-pound bags of cane sugar at New Orleans, La., in possession of the Douglas Shipside Storage Corp.

The sugar had been stored under insanitary conditions after shipment. Examination of samples showed that the product contained rodent excreta, rodent urine, rodent hairs, insects, insect fragments, and larvae. In addition, some of the bags in one lot were water-damaged and contained dirty sugar.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 23, 1944. The cases having been consolidated and Olavarria & Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for re-refining under the supervision of the Food and Drug Administration.

#### MISCELLANEOUS SACCHARINE PRODUCTS

**6458. Adulteration of caramel bonbon coating. U. S. v. 4,790 Pounds of Caramel Bon Bon Coating. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 12023. Sample No. 40230-F.)

**LIBEL FILED:** March 16, 1944, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about May 7 and July 18, 1943, from Chicago, Ill.

**PRODUCT:** 4,790 pounds of caramel bonbon coating at Sioux City, Iowa, in possession of the Palmer Candy Co.