

**SHIPPED:** 1-14-58, from Mongo, Ind., by Denver Preston (Preston Popcorn Co.).

**RESULTS OF INVESTIGATION:** 21,635 lbs. of popcorn were shipped as described and, upon receipt at Delaware, Ohio, were commingled with other popcorn of undetermined origin.

**LIBELED:** 2-13-58, S. Dist. Ohio.

**CHARGE:** 402(a)(3)—contained rodent excreta pellets when shipped.

**DISPOSITION:** 3-28-58. Default—consumption by animals.

## CHOCOLATE PRODUCTS, CONFECTIONERY, AND SIRUP

### CHOCOLATE AND COCOA

**24799. Chocolate liquor.** (F.D.C. No. 39649. S. Nos. 58-946 M, 58-948 M.)

**QUANTITY:** 36,964 ctns., each containing 64 lbs., at Philadelphia, Pa.

**SHIPPED:** 5-30-56 and 6-26-56, from Puerto Plata, Dominican Republic.

**LIBELED:** 10-24-56, E. Dist. Pa.

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

**DISPOSITION:** 11-1-56. Consent—claimed by Chocolatera Industrial C. por A., Puerto Plata, Dominican Republic. Segregated; 66,339 lbs. destroyed.

**24800. Cocoa powder.** (F.D.C. No. 39970. S. Nos. 17-722 M, 38-876/7 M, 49-788 M.)

**INFORMATION FILED:** 6-13-57, S. Dist. N.Y., against Harlem Food Products, Inc., New York, N.Y., and David Littman, general manager.

**SHIPPED:** Between 8-12-54 and 5-15-56, from New York to Maryland, Connecticut, and Florida.

**LABEL IN PART:** (Bag) "Dutched Cocoa Powder."

**CHARGE:** 402(b)(2)—when shipped, ground cottonseed flour had been substituted in whole or in part for cocoa powder; and 403(g)(1)—the article failed to conform to the definition and standard of identity for cocoa powder.

**PLEA:** Guilty.

**DISPOSITION:** 9-25-57. Corporation—\$3,000 fine. Individual—jail sentence of 1 year suspended, probation for 3 years, and \$2,500 fine.

### CONFECTIONERY

**24801. Candy.** (F.D.C. No. 41138. S. Nos. 78-507 M, 78-509 M, 78-556 M.)

**INFORMATION FILED:** 2-3-58, W. Dist. Mo., against Commercial Candy Co., a corporation, Kansas City, Mo.

**ALLEGED VIOLATION:** Between 1-23-57 and 8-20-57, the defendants caused quantities of candy, while held for sale after shipment in interstate commerce, to be placed in a building accessible to insects and to be exposed to contamination by insects which acts resulted in the articles being adulterated.

**CHARGE:** 402(a)(3)—contained insects, insect parts, and insect excreta; and 402(a)(4)—held under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 2-28-58. Corporation fined \$750, plus costs.