26036. Cocoa powder. (F.D.C. No. 43534. S. No. 58–177 P.)

QUANTITY: 75 bags at Brooklyn, N.Y.

SHIPPED: Prior to 8–17–58, from outside the United States.

LABEL IN PART: "Natural Process Danish Low Fat Cocoa Powder 88.184 Lbs. Net Product of Denmark Compex Corp. New York, N.Y. Dansk Boston."

RESULTS OF INVESTIGATION: Examination showed that the article was cocoa powder containing in excess of 30 percent shell by weight.

LIBELED: 9–18–59, E. Dist. N.Y.

CHARGE: 403(g)(1)—when shipped, the article failed to conform to the definition and standard of identity prescribed for low-fat cocoa in that it was not prepared from cacao nibs having a cacao shell content of not more than 1.75 percent by weight, but was prepared from cacao nibs having a cacao shell content of more than 1.75 percent by weight.

DISPOSITION: 12–3–59. Default—destruction.

26037. Cocoa powder. (F.D.C. No. 43529. S. No. 57–989 P.)

QUANTITY: 39 90-lb. bags at Bronx, N.Y.

SHIPPED: 4–20–59, from Boston, Mass., by J. F. Braun & Sons.

LABEL IN PART: "JFB Dansk Boston."

RESULTS OF INVESTIGATION: Examination showed that the article was cocoa powder containing in excess of 20 percent shell by weight.

LIBELED: 9–23–59, S. Dist. N.Y.

CHARGE: 403(g)(1)—when shipped, the article failed to conform to the definition and standard of identity for low-fat cocoa in that it was not prepared from cacao nibs having a cacao shell content of not more than 1.75 percent by weight, but was prepared from cacao nibs having a cacao shell content of more than 1.75 percent by weight.

DISPOSITION: 12–8–59. Consent—claimed by J. F. Braun & Sons, New York, N.Y., and exported to the original supplier in Denmark.

CONFECTIONERY

26038. Candy. (F.D.C. No. 43575. S. Nos. 73–858 P, 73–860/1 P.)

QUANTITY: 148 cases, 24 10-oz. bags each, and 196 cases, 24 8-oz. bags each, at Jefferson Parish, La.

SHIPPED: 8–27–59, from Atlanta, Ga., by Peachtree Candy Co., Div. of Norris Candy Co.

LABEL IN PART: (Bag) "Peachtree Candies Peanut Butter Kisses [or "Lemon Curls" or "Peanut Logs"] * * * Mfd. by Peachtree Candy Co. Div. Norris Candy Co., Atlanta, Ga."

LIBELED: 10–6–59, E. Dist. La.

CHARGE: 402(a)(3)—contained insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 11–6–59. Default—destruction.

26039. Burgundy mix candy. (F.D.C. No. 43011. S. No. 25–050 P.)

QUANTITY: 135 cases, 24 pkgs. each, at Minneapolis, Minn., in possession of Northwest Confections, Inc.

SHIPPED: 4–1–59, from Chicago, Ill.