

LABEL IN PART: (Carton) "Chocolatera Industrial C. por A. Puerto Plata Dominican Republic Unsweetened Chocolate Product of Dominican Republic."

LIBELED: 11-14-56, Dist. N. J.

CHARGE: 402 (a) (3)—contained insects, insect webbing, insect excreta, paper fragments, wood fragments, textile fibers, and mold when shipped.

DISPOSITION: 2-18-57. Consent—claimed by General Cocoa Co., Inc. Segregated, 248 lbs. destroyed.

23360. Cocoa. (F. D. C. No. 37877. S. Nos. 2-970 M, 4-613 M, 12-656 M.)

INDICTMENT RETURNED: 12-16-55, Dist. Mass., against Samuel Feinberg, t/a Clinton Chocolate Co., Boston, Mass.

SHIPPED: 12-9-54 and 12-14-54, from Massachusetts to New Hampshire, New Jersey, and New York.

LABEL IN PART: (Bag and drum) "Fairmont Cocoa [or "Pure Cocoa"]" and "North Star Cocoa."

CHARGE: 402 (a) (3)—contained rodent hair fragments and insects parts; 402 (a) (4)—prepared under insanitary conditions; 402 (b) (2)—ground filbert nut shell had been substituted in part for cocoa; 402 (b) (4)—ground filbert nut shell had been added to the article and mixed and packed with it so as to increase its bulk and weight; and 403 (g) (1)—failed to conform to the definition and standard of identity of cocoa since it contained ground filbert nut shell, which is not permitted as an optional ingredient of cocoa in the definition and standard.

PLEA: Guilty.

DISPOSITION: 4-17-56. Defendant fined \$1,500 and sentenced to imprisonment for 2 months on count 1; imposition of sentence on remaining counts suspended and defendant placed on probation for 3 years.

23361. Cocoa beans. (F. D. C. No. 38744. S. No. 36-903 M.)

QUANTITY: 7 140-lb. bags at Brooklyn, N. Y.

SHIPPED: 8-3-55, from outside the United States.

LIBELED: 12-20-55, E. Dist. N. Y.

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

DISPOSITION: 1-19-56. Consent—claimed by E. Muniz Ferreira & Cia, LTDA., Bahia, Brazil. Segregated, 45 lbs. destroyed.

SIRUP AND SUGAR

23362. Sorghum sirup. (F. D. C. No. 38349. S. No. 14-198 M.)

QUANTITY: 147 cases, 12 4½-lb. cans each, at Springfield, Mo.

SHIPPED: 9-6-55 and 9-7-55, from Commerce, Okla., by Glenn Dawson.

LABEL IN PART: (Can) "Country Sorghum."

LIBELED: 9-30-55, W. Dist. Mo.

CHARGE: 402 (b) (2)—a mixture of sucrose and invert sugar had been substituted in whole or in part for sorghum when shipped; and 403 (a)—the label designation "Sorghum" was false and misleading.

DISPOSITION: 4-4-56. Default—delivered for use of a charitable organization.