RESULTS OF INVESTIGATION: Examination showed that the article contained in excess of 20 percent shell by weight.

LIBELED: 8-3-59, Dist. N.J.

CHARGE: 402(b)(2)—when shipped, cacao shell had been substituted in part for low-fat cocoa; and 403(g)(1)—the article failed to conform to the definition and standard of identity for low-fat cocoa since it contained more cacao shell than is present in low-fat cocoa.

DISPOSITION: 9-14-59. Default—destruction.

26572. Cocoa press cake. (F.D.C. No. 44169. S. No. 85-575 P.)

QUANTITY: 143 155-lb. bags at Brooklyn, N.Y.

SHIPPED: Prior to 4-14-59, from outside the United States.

LIBELED: 1-19-60, E. Dist. N.Y.

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

DISPOSITION: 4-14-60. Consent—claimed by Ernest Adler Co., Inc., New York, N.Y., and denatured for shipment to Holland.

26573. Cocoa and vegtable fat coating. (F.D.C. No. 44419. S. Nos. 96-990/1 P.)

QUANTITY: 34 56-lb. cases and 46 50-lb. cases at Hoboken, N.J.

SHIPPED: Prior to September 1958, from Bucks, England, and Lititz, Pa.

LIBELED: 4-4-60, Dist. N.J.

CHARGE: 402(a)(3)—while held for sale, the articles were unfit for food by reason of having little or no chocolate flavor, possessing an off-odor and a strong, foreign taste, thereby rendering them unpalatable and unfit for food.

DISPOSITION: 5-12-60. Default—destruction.

CONFECTIONERY

26574. Candy. (F.D.C. No. 44400. S. Nos. 96-896/7 P.)

QUANTITY: 185 cases, 48 14-oz. bags each, at New York, N.Y., in possession of West Side Cold Storage Co., Inc.

SHIPPED: 4-17-57, from Stratford, England.

LIBELED: 3-31-60, S. Dist. N.Y.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 5-4-60. Default—destruction.

26575. Pascall English Sweets. (F.D.C. No. 44403. S. No. 96-946 P.)

QUANTITY: 25 cases, 12 24-oz. jars each, at Bronx, N.Y.

SHIPPED: 4-3-59 and 8-5-59, from London, England.

RESULTS OF INVESTIGATION: Examination showed the article to be short weight.

LIBELED: 4-5-60, S. Dist. N.Y.

CHARGE: 403(e)(2)—while held for sale, the article failed to bear a label containing an accurate statement of the quantity of the contents; and 403(f)—the net weight and ingredient statements required by the Act to appear on the label were not prominently placed thereon with such conspicuousness (as compared with other words, statements, and designs, or devices, in the labeling) as to render them likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 4-20-60. Consent—claimed by Cresca Co., Inc., Bronx, N.Y., and repacked to the correct weight.