

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 552, FOOD AND DRUGS ACT.

MISBRANDING OF PRESERVES AND JELLY.

On or about September 2, 1909, the Williams Brothers Company, a corporation, Detroit, Mich., shipped from the State of Michigan to the State of Oklahoma a consignment of food products one of which was labeled "Maple Leaf Brand Trade * * * Mark. Compound—Glucose—Sugar. Strawberry-Apple Preserves. Made from Glucose (25%), Strawberries (20%), Apple Juice (40%) and Sugar (15%)," and the other "Compound Glucose Apple Jelly Contains 1/3 of 1% Tartaric Acid. Made of Apple Juice (60%), Glucose (40%). Trade * * * Mark."

Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made thereon indicated that the products were misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Williams Brothers Company and the dealer from whom the samples were purchased opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence on which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Michigan charging the above shipment and alleging that the products were misbranded, in that the labels thereon represented the preserves to contain only 25 per cent of glucose, and the jelly to contain only 40 per cent of glucose, when in fact and in truth the preserves contained 51 per cent of glucose and the jelly contained 70.70 per cent of glucose, said labels therefore being false and misleading.

On July 22, 1910, the defendant entered a plea of nolo contendere and a fine of \$3 was imposed.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., August 5, 1910.