

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1207.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF FRUIT JELLY.

At the November term of the District Court of the United States for the District of Indiana, the Grand Jurors of the United States within the aforesaid district, acting upon a report of the Secretary of Agriculture, returned an indictment against W. D. Huffman, of said district, charging shipment by him, on or about August 18, 1909, in violation of the Food and Drugs Act of June 30, 1906, from the State of Indiana into the State of Illinois of a quantity of fruit jelly, which was misbranded. The product was labeled: "Fruit Jelly—Apple Flavor—60 per cent fruit, 40 per cent corn syrup, 1 to 1-2000 vegetable color, with phosphate. Indianapolis Canning Co., Indianapolis, Ind."

The indictment was based upon a report of the Secretary of Agriculture showing the following results of an analysis by the Bureau of Chemistry of the United States Department of Agriculture of a sample of the jelly taken from said consignment:

	Per cent.
Solids.....	66. 25
Sucrose, Clerget.....	. 61
Reducing sugars as invert.....	26. 60
Commercial glucose (factor 163).....	71. 20
Polarization direct at 24° C.....	122. 0
Polarization invert at 24° C.....	121. 2
Polarization invert at 87° C.....	116. 0
Ash.....	1. 01
Ash, soluble in water.....	. 755
Ash, insoluble in water.....	. 255
Alkalinity of soluble ash (cc N/10 acid 100 grams).....	44. 50
Alkalinity of insoluble ash (cc N/10 acid 100 grams).....	28. 75
Total P ₂ O ₅ 37

Contains added phosphate.

Color: No coal-tar color.

Misbranding was alleged because the label represented the said product as containing only 40 per cent of corn syrup, i. e., commercial glucose, when, in fact, it contained over 70 per cent of corn syrup, and the statement on the label was therefore false and misleading.

The defendant was arraigned upon the indictment and pleaded guilty, whereupon the court imposed a fine of \$25, together with the costs of the prosecution.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 16, 1911.*

