

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2526.

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

U. S. v. Williams Bros. Co. Plea of nolo contendere. Fine, \$100.

ADULTERATION AND MISBRANDING OF APPLE JELLY.

On April 20, 1912, the United States Attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Williams Bros. Co., a corporation, Detroit, Mich., alleging shipment by said company, on May 22, 1911, from the State of Michigan into the State of Iowa, of a quantity of apple jelly which was adulterated and misbranded in violation of the Food and Drugs Act. The product was labeled: "Williams Apple Jelly. The Williams Bros. Co., Detroit, Mich. Guaranteed by the Williams Bros. Co. under the Food & Drugs Act, June 30, 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Tartaric acid, 0.34 per cent; solids, 72.0 per cent. Adulteration of the product was alleged in the information for the reason that a substance had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and that a substance had been substituted wholly or in part for the product, in that it contained 0.34 per cent of tartaric acid. Misbranding was alleged for the reason that the statement "Apple Jelly," borne on the label, was false and misleading because it would mislead and deceive the purchaser into the belief that said product was apple jelly, whereas, in truth and in fact, it was apple jelly prepared with tartaric acid, and said product was further misbranded in that it was labeled and branded so as to deceive and mislead the purchaser, being labeled "Apple Jelly," thereby purporting that it was pure apple jelly, whereas, in truth and in fact, it was apple jelly prepared with tartaric acid.

On April 24, 1912, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$100.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 14, 1913.*