

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

### NOTICE OF JUDGMENT NO. 1947.

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

#### MISBRANDING OF APPLE STRAWBERRY JELLY AND APPLE RASPBERRY JELLY.

On June 6, 1912, the United States Attorney for the District of Minnesota, 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 Towle Maple Products Co., a corporation doing business at St. Paul, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 20, 1911, from the State of Minnesota into the State of Nebraska, of a quantity of apple strawberry jelly and apple raspberry jelly which was misbranded. The two products were labeled as follows: "10 Ounces, Net Weight, Forest City Brand Jelly, Apple Juice, Strawberry Juice and sugar. Allen Bros. Co., Distributors, Omaha, Neb." and "10 Ounces Net Weight, Forest City Brand Jelly, Apple Juice, Raspberry Juice and Sugar, Allen Bros. Co., Distributors, Omaha, Neb."

Examination of samples of the products by the Bureau of Chemistry of this Department showed the following results:

#### APPLE STRAWBERRY JELLY.

Solids in vacuo at 70° C. (per cent).....	69.44
Nonsugar solids (per cent).....	4.53
Sucrose, Clerget (per cent).....	47.45
Reducing sugars as invert (before inversion) (per cent) .....	17.46
Commercial glucose (factor 163) .....	None.
Polarization direct at 24° C. (°V.).....	+41.2
Polarization invert at 24° C. (°V.).....	-20.8
Polarization invert at 87° C. (°V.).....	0.0
Ash (per cent).....	0.36
Preservative.....	None detected.
Color.....	No artificial detected.
Net weight (1), 9.7 ounces, short 3.0 per cent.	
Net weight (2), 9.7 ounces, short 3.0 per cent.	
Net weight (3), 9.91 ounces, short 0.9 per cent.	
Average shortage 3 samples, 2.3 per cent.	

## APPLE RASPBERRY JELLY.

Solids in vacuo at 70° C. (per cent).....	70.41
Nonsugar solids (per cent).....	4.06
Sucrose, Clerget (per cent).....	45.00
Reducing sugars as invert (before inversion) (per cent).....	21.35
Commercial glucose (factor 163).....	None.
Polarization direct at 24° C. (°V.).....	+38.0
Polarization invert at 24° C. (°V.).....	-20.8
Polarization invert at 87° C. (°V.).....	0.0
Ash (per cent).....	0.36
Preservative.....	None detected.
Color.....	No artificial detected.
Net weight (1), 9.77 ounces, short 2.3 per cent.	
Net weight (2), 9.07 ounces, short 9.3 per cent.	
Net weight (3), 9.45 ounces, short 5.5 per cent.	
Average shortage 3 samples, 5.7 per cent.	

Misbranding of the product was alleged in the information for the reason that the label and brand on the containers thereof purported to state in terms of weight the correct weight of the contents of each container as 10 ounces, whereas, in truth and in fact, each of the tumblers contained less than 10 ounces, namely, 9.7 ounces.

On June 7, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *November 14, 1912.*