

Issued May 21, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2355.

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

ADULTERATION OF CONFECTIONERY.

On June 26, 1912, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Herman W. Hoops, William F. Hoops, and Herman L. Hoops, doing business under the firm name and style of Hawley & Hoops, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on January 14, 1911, from the State of New York into the State of Massachusetts, of a quantity of confectionery which was adulterated. The product was labeled: "Trade Mark A. No. 1. Chocolate Cigarettes. 3 for one cent. Serial No. 312."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Arsenic as As_2O_3 , parts per million, 4.4. Adulteration of the product was alleged in the information for the reason that it contained an ingredient deleterious and detrimental to health, to wit, arsenic.

On December 16, 1912, defendant entered a plea of guilty to the information and the court suspended sentence.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *March 3, 1913.*

