

Cane Syrup and 25% Maple Syrup", borne on the label, was false and misleading, and in that by reason of said statement the article was labeled so as to deceive and mislead the purchaser, since said statement represented that the article contained not less than 25 percent of maple sirup; whereas in fact the article contained less than 25 percent of maple sirup.

It was alleged that the article in the shipment to California was further misbranded in that the statement, "Contents One Gallon", borne on the label of the cans containing the article, was false and misleading, and in that by reason of said statement the article was labeled so as to deceive and mislead the purchaser, since said statement represented that each of the cans contained not less than 1 gallon of the article; whereas in fact each of the cans contained less than 1 gallon of the article. Misbranding of the article in the shipment to California was alleged further in that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 27, 1936, a plea of guilty was entered on behalf of the defendant corporation, and the court imposed a fine of \$100.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25583. Misbranding of peanut butter. U. S. v. Williamson Candy Co. Plea of guilty. Fine, \$50. (F. & D. no. 35904. Sample nos. 38879-A, 70098-A.)**

This case was based on interstate shipments of peanut butter, the packages of which were short in weight.

On August 19, 1935, the United States attorney for the Eastern District of New York filed in the district court an information against the Williamson Candy Co., a corporation, Brooklyn, N. Y., charging shipment by said corporation in violation of the Food and Drugs Act, on or about March 21 and March 28, 1934, from the State of New York into the State of New Jersey, and on May 19, 1934, from the State of New York into the State of California, of quantities of peanut butter that was misbranded. The article in the shipments into the State of New Jersey was labeled: "Makes and Keeps Friends' American House Peanut Butter Net Weight 2 Lbs. American Grocery Company Distributors, Hoboken, N. J." The article in the shipment into the State of California was labeled: "Princess Pat Peanut Butter Contents 9 oz. Williamson Candy Co. Chicago Brooklyn."

The article in the shipments into New Jersey was alleged to be misbranded in that the statement "Net Weight 2 Lbs.", borne on the label on the jars containing the article, was false and misleading, and in that by reason of said statement the article was labeled so as to deceive and mislead the purchaser, since it represented that each of the jars contained 2 pounds of the article; whereas in fact each of the jars contained less than 2 pounds of the article. The article in the shipments into New Jersey was alleged to be misbranded further in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity of the contents in the package was less than 2 pounds, the quantity stated.

The article in the shipment into the State of California was alleged to be misbranded in that the statement, "Contents 9 oz.", borne on the jars containing the article, was false and misleading, and in that by reason of said statement the article was labeled so as to deceive and mislead the purchaser, since it represented that each of the jars contained 9 ounces of the article; whereas in fact each of the jars contained less than 9 ounces of the article. The article in the shipment into California was alleged to be misbranded further in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity of the contents in the package was less than 9 ounces, the quantity stated.

On April 9, 1936, the defendant entered a plea of guilty and the court imposed a fine of \$50.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25584. Adulteration and misbranding of confectionery. U. S. v. Herman P. Rihs (North Atlantic Trading Co.). Plea of guilty. Fine, \$10. (F. & D. no. 35905. Sample nos. 20656-B, 20657-B.)**

This case was based on an interstate shipment of confectionery which contained spirituous liquor, and the packages of which failed to bear a statement of the quantity of the contents thereof.