

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2082.

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

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### ADULTERATION AND MISBRANDING OF JELLY.

On June 25, 1912, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases containing 48 cartons of jelly remaining unsold in the original unbroken packages and in possession of the A. Colburn Co., Philadelphia, Pa., and charging that the product was adulterated and misbranded in violation of the Food and Drugs Act. One of the cases was labeled "Regal Gelee Jelly, Vanilla," one was labeled "Regal Gelee Jelly, Peach," one was labeled "Regal Gelee Jelly, Wild Cherry," one was labeled "Regal Gelee Jelly, Raspberry," two were labeled "Regal Gelee Jelly, Strawberry," two were labeled "Regal Gelee Jelly, Raspberry," two were labeled "Regal Gelee Jelly, Lemon," and two were labeled "Regal Gelee Jelly, Orange,"; four of the cartons were labeled "Regal Gelee Jelly, Vanilla, Manufacturee Par. Manufactured by Brault & DesJardins 135 St Paul, Montreal. Directions for jelly. Three cups of this powder in a half-gallon of boiling water, stir until well dissolved, then pour into moulds and keep in a cool place. Never use tin moulds. Directions: Pour Gelees, Trois tasses de cette poudre dans un demi gallon d'eau bouillante, agitez jusqu'a ce que le tout soit bein dissous, alors versez dans les moules et placez dans un endroit frais. Ne vous servez jamais de moules de ferblanc."; four of the cartons were labeled in the same manner as the first four with the exception that the word "Peach" appeared in place of the word "Vanilla"; four of the cartons were labeled in the same manner as the first four with the exception that the words "Wild Cherry" appeared in place of the word "Vanilla"; six of the cartons were labeled in the same manner as the first four with the exception that the word "Strawberry" appeared in place of the word "Vanilla"; six of the cartons were labeled in the same manner as the first four with the exception that the word "Raspberry" appeared in place of the word "Vanilla"; four of the cartons were labeled in the same

manner as the first four referred to with the exception that the word "Orange" appeared in place of the word "Vanilla"; four of the cartons were labeled in the same manner as the first four referred to with the exception that the word "Lemon" appeared in place of the word "Vanilla."

Adulteration of the product was alleged in the libel for the reason that certain substances, to wit, artificial flavors, artificial colors, gelatine or glue, sugar, and acid had been mixed with it so as to reduce, lower, and injuriously affect its quality, and for the further reason that artificial flavors, artificial colors, gelatine or glue, sugar, and acid had been substituted wholly or in part for the product. Adulteration of the product was alleged for the further reason that it was colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the reason that the cartons were labeled, among other things, "Regal Gelee Jelly," thereby representing the product to be jelly, whereas in truth and in fact it was not jelly but was an imitation thereof. Misbranding was alleged for the further reason that the cartons were labeled, among other things, "Regal Gelee Jelly, Manufacturee Par. Manufactured By Brault & Des-Jardins, 125 St. Paul Montreal," thereby representing the product to be a foreign product, to wit, a product which had been manufactured in a foreign country, to wit, Canada, and imported into the United States, whereas in truth and in fact it had not been manufactured in Canada and imported into the United States but was a product which had been manufactured in the United States.

On July 24, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

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

WASHINGTON, D. C., *December 7, 1912.*