

On June 23, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of twenty-five dollars (\$25).

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**3010. Misbranding of candy. U. S. v. A. Marcopoulou. Plea of guilty. Sentence suspended.**  
(F. & D. No. 4925. I. S. No. 21913-d.)

On June 17, 1913, 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 A. Marcopoulou, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on May 21, 1912, from the State of New York into the State of Illinois, of a quantity of candy which was misbranded. The product was labeled with Greek characters in the Greek language.

Examination of a sample of the product by the Bureau of Chemistry showed it to be a species of gum drops. It was observed in connection with the examination that the product was labeled in such a manner as to convey the impression that it was of foreign manufacture. Misbranding of the product was alleged in the information, for the reason that the package in which it was shipped bore statements, designs, and devices regarding the article which were false and misleading in that said statements, designs, and devices would indicate that the article was a foreign product, to wit, a product of Greece, when it was not so, but was a product of the United States. Misbranding was alleged for the further reason that the product was falsely branded as to the country in which it was manufactured, the article being branded to indicate that it was manufactured in Greece, whereas, in truth and in fact, it was manufactured in the United States. Misbranding was alleged for the further reason that the product purported to be a foreign product, to wit, a product of Greece, when it was not so, but was a product of the United States.

On October 14, 1913, the defendant entered a plea of guilty to the information, and the court suspended sentence.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 6, 1914.*

**3011. Adulteration and misbranding of walnuts. U. S. v. 25 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 4931. S. No. 1635.)

On December 31, 1912, the United States attorney for the District of Massachusetts, 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 25 bags of walnuts remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by R. U. Delapenha & Co., New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled, in part, "Rudco, New York, Walnuts, Extra Quality, France." Adulteration of the product was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid vegetable substance. Misbranding was alleged for the reason that the food and the package and label thereof bore a certain statement, design, and device regarding the food and the ingredients and substances contained therein, to wit, the words "Walnuts, Extra Quality," printed thereon, which was false and misleading in a certain particular, that is to say, because said statement, design, and device would deceive and mislead a purchaser into the belief that the food consisted of a food of extra quality, whereas, in truth and in fact, it did not consist of a food of extra quality.