

4815. Misbranding of coffee. U. S. v. The Jones-Thierbach Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 4824. I. S. No. 36753-e.)

On May 25, 1915, the United States attorney for the Northern District of California, 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 Jones-Thierbach Co., a corporation, San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 28, 1912, from the State of California into the State of Arizona, of a quantity of coffee which was misbranded. The article was labeled: (On front) "Arab Coffee with Chicory" (Picture of Arab in center) "* * * The contents of this package a mixture of ground coffee and chicory * * * Chas. F. Thierbach Co., San Francisco, California."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was composed of about 90 per cent ground Santos and about 10 per cent light roast chicory. The package contained no Arabian coffee.

Misbranding of the article was alleged in the information for the reason that it was labeled and branded as aforesaid, so as to deceive and mislead the purchaser thereof in that by said label and brand the impression was created that the article was a mixture of Arabian coffee and chicory, when, in truth and in fact, it was not coffee grown or produced in Arabia, and mixed with chicory, but was a mixture of South American coffee and chicory. Misbranding was alleged for the further reason that the label and brand on the article was false and misleading in that the statement "Arab Coffee with Chicory," taken in connection with the picture of an Arab borne on the label, misled and deceived the purchaser into the belief that the article was a mixture of Arabian coffee and chicory, whereas, in truth and in fact, it was a mixture of South American coffee and chicory.

On June 15, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN,
Acting Secretary of Agriculture.