

5208. Misbranding of candy. U. S. * * * v. Elie Sheetz. Plea of guilty. Fine, \$100. (F. & D. No. 7573. I. S. No. 447-1)

On October 2, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Elie Sheetz, Washington, D. C., alleging the sale by said defendant, on April 22, 1916, at the District aforesaid of a quantity of candy, which was misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Elie Sheetz 505 12th St., N. W. Between Columbia Theatre and Raleigh Hotel. Washington, D. C. Old Time—Home Made Martha Washington Candies."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the sample contained no statement of net weight. The net weight of the first sample was found to be 14.92 ounces and of the second sample 15.15 ounces.

Misbranding of the article was alleged in the information for the reason 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 in terms of weight, measure, or numerical count.

On October 2, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

CARL VROOMAN, *Acting Secretary of Agriculture.*