being familiar with the law, is of the opinion that the said cases in which the cans of corn are contained are misbranded as to weight within the meaning of the act of Congress of June 30, 1906, and the court being so of the opinion, orders, adjudges, and decrees that the same said 688 cases of canned corn are misbranded within the meaning of the said act of Congress.

It is further ordered that the marshal of the United States for the northern district of Texas proceed to dispose of said 688 cases of canned corn as in the said act provided and that the libelants, the United States, recover all costs in this behalf; for which let execution issue.

April 19, 1909.

The facts in the case were as follows:

On or about October 13, 1908, an inspector of the Department of Agriculture found in the possession of the Brady-Neely Grocer Company, Amarillo, Tex., 688 cases (each containing 24 cans) of corn, 472 of which were labeled and branded " 2 doz. 2 lbs. Otoe Cream Sugar Corn. Nebraska City Canning Company, Nebraska City, Neb.," and 216 of which were labeled " 2 doz. 2 lbs. Pioneer Brand Corn, Packed by Nebraska City Canning Company, Nebraska City, Neb." These goods had been shipped to the Brady-Neely Grocer Company on or about June 11, 1908, and August 6, 1908, by the Otoe Preserving Company from Nebraska City, Nebr. A number of the cans of both brands were weighed by the inspector, and it was found that the average gross weights varied from 1 pound 7 ounces to 1 pound 10 ounces. The goods were misbranded within the meaning of section 8 of the act, in that the contents of the cans were stated in terms of weight, but incorrectly so, and on October 14, 1909, the Secretary of Agriculture reported the facts to the United States attorney for the northern district of Texas, by whom libel for seizure and condemnation of the goods was duly filed and 480 of the aforesaid cases seized by the marshal, with the result hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 10, 1910.*

(N. J. 127.)

ADULTERATION AND MISBRANDING OF SYRUP.

(AS TO PRESENCE OF GLUCOSE.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on June 30, 1909, in the district court of the United States for the western district of Tennessee, in a proceeding of libel under section 10 of the aforesaid act, for seizure and condemnation of 427 cases of syrup,

adulterated and misbranded as hereinafter stated, wherein the United States were libelants and the Alabama-Georgia Syrup Company was claimant, the said claimant having appeared and admitted the allegations of the libel and the case having come on for a hearing, a decree of forfeiture and condemnation was rendered by the court in substance and in form as follows:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF TENNESSEE.

THE UNITED STATES
v.
427 CASES OF SYRUP.

In this cause it appearing to the court, the United States of America, by George Randolph, United States attorney, and the Alabama Georgia Syrup Company, by its president, L. B. Whitfield, the claimants and owners of the property seized herein, consenting thereto, that under the process issued in this cause the 358 cases of syrup branded "Alaga Syrup, Alabama Georgia Syrup Company, Montgomery, Ala.," were seized by the U. S. marshal in the warehouse and place of business of the Oliver-Finnie Grocery Co., in the city of Memphis, Shelby County, Tenn., and that the same were subject to seizure and confiscation by the United States for the causes set forth in the libel herein—that is to say, that said 358 cases of syrup contained a large per cent of glucose, which had been substituted in part for the said syrup, and the brand and labels on the said cans were misleading and calculated to deceive purchasers.

And it further appearing, by like consent, that the said Alabama Georgia Syrup Company have agreed that an order may be entered at once condemning and confiscating the said property to the United States,

It is therefore ordered, adjudged, and decreed that the said 358 cases of syrup now in the possession of the marshal of this court be, and the same are hereby, declared to be forfeited and confiscated to the United States.

It is further ordered, however, that upon payment by the said Alabama Georgia Syrup Company of the costs of this proceeding and the execution and delivery of a good and sufficient bond, to be filed with the clerk in this cause, conditioned that said 358 cases of syrup shall not be sold or otherwise disposed of contrary to the provisions of the act commonly known as the Pure Food and Drugs Act or contrary to the laws of the State of Tennessee, then the marshal of this court is hereby directed to deliver said property to the Alabama Georgia Syrup Company, or to their representative. The costs shall be paid and the bond given within fifteen days from the date of this order.

The facts in the case were as follows:

On or about June 25, 1909, an inspector of the Department of Agriculture found in the possession of the Oliver-Finnie Company, Memphis, Tenn., 427 cases of a syrup labeled "Alaga Syrup, Alabama-Georgia Syrup Company, Montgomery, Ala.," together with a pictorial design of a bundle of sugar cane tied with streamers of ribbon bearing the words "Alabama-Georgia," and a scene showing the gathering of sugar cane from a field, together with the following legend: "Alaga—contents of this can is put up direct from the evap-

orator while hot. Guaranteed to retain its natural sweet flavor indefinitely," while upon the sides of the label in small type was the following legend: "Alaga Brand Syrup is a blend of Pure Ribbon Cane Syrup, with just enough corn syrup to keep the same from sugaring or souring. Its merit is what tells." This syrup had been shipped by the Alabama-Georgia Syrup Company from Montgomery, Ala., to the Oliver-Finnie Company, Memphis, Tenn., on February 6, 1909; April 7, 1909; May 5, 1909; and June 2, 1909. A sample of the syrup was subjected to analysis in the Bureau of Chemistry, United States Department of Agriculture, and the results showed the product to be composed of cane syrup and 28 per cent of glucose. It was evident that the product was adulterated and misbranded; adulterated, in that glucose had been mixed and packed with the cane syrup and substituted in part therefor, thereby reducing and lowering its quality and strength; and misbranded, in this, that the labels were so worded and bore such pictures and devices as to lead the purchaser to believe that he was purchasing a product made entirely from sugar cane, whereas it was a mixture of glucose and cane syrup. Accordingly, on June 26, 1909, the facts were reported by the Secretary of Agriculture to the United States attorney for the western district of Tennessee, who duly filed a libel for seizure and condemnation of the goods, with the result hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 10, 1910.*

(N. J. 128.)

MISBRANDING OF CANNED CORN.

(UNDER WEIGHT.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 7th day of May, 1909, in the district court of the United States for the western district of Texas, in a proceeding of libel for condemnation of 430 cases of canned corn which were misbranded in this, that they were labeled "2 doz. 2 lb.," whereas the cans contained therein weighed less than 2 pounds; that is to say, an average of 1½ pounds, wherein the United States were libelants and the Atlantic Canning Company, an unincorporated association of Atlantic, Iowa, was claimant, the said claimant having filed its answer and waived a jury and the parties having submitted the matter to the court upon an agreed statement of facts and the case having come on for final