

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 458, FOOD AND DRUGS ACT.

MISBRANDING OF TABLE SYRUP.

On or about December 21, 1908, the Corn Products Refining Company, a corporation, Granite City, Ill., shipped from the State of Illinois to the State of Missouri 78 cases of canned syrup, 61 of which contained 24 cans each, labeled "Monkey Brand Rock Table Syrup, 80 per cent. Corn Syrup, 20 per cent. Granulated Sugar Syrup, 2½ pounds in weight. S. H. Bieler Grocery Company, Sedalia, Mo.," the remaining 17 cases also containing 24 cans each, bearing identical labels except with the word "Five" instead of the words "Two and a half." Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Missouri.

In due course a libel was filed in the District Court of the said district against the said 78 cases of canned syrup, charging the above shipment, and alleging that the product was misbranded within the meaning of the act, in that the statements in the label above set forth that the product contained "80 per cent. corn syrup and 20 per cent. granulated sugar syrup" was false and misleading and tended to deceive the purchaser, because as a matter of fact the said product contained more corn syrup and less granulated sugar syrup than was represented by said labels. Thereupon the said Corn Products Refining Company intervened and filed a claim to the product, and the case coming on for hearing, the court rendered a decree, that the product should be delivered to said claimant if it should pay the costs of proceedings and execute and deliver a good and sufficient bond, conditioned that the product be not sold or otherwise disposed of contrary to law. Said bond having been filed and the costs paid as above decreed, the goods were forthwith delivered to claimant.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 1, 1910.*

