

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 581, FOOD AND DRUGS ACT.

MISBRANDING OF PRESERVES.

On or about September 3, 1909, Hiram H. Logan and Thomas V. L. Johnson, copartners, under the firm name of Logan, Johnson & Co., Boston, Mass., shipped from the State of Massachusetts to the State of New York a quantity of preserves labeled: "Logan, Johnson & Co., Boston, Mass. Ideal Raspberry Apple Artificially Colored. Compound Raspberry 35%; Apple 20%, Corn Syrup 30%, Gran. Sugar 15%; Sodium Benzoate 1/10 of 1%."

Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made showed that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Logan, Johnson & Co. and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the District of Massachusetts against the said Logan, Johnson & Co., charging the above shipment and alleging that the product so shipped was misbranded, in that the label above set forth was false and misleading in the statement that the product contained "corn syrup 30%," for the reason that it contained more than 30 per cent of corn syrup.

Upon arraignment defendant Hiram H. Logan appeared and entered a plea of guilty to the above information and the court imposed a fine of \$25; said information being placed on file as to the other defendant, Thomas V. L. Johnson.

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., *August 27, 1910.*

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