

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 698, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF STRAWBERRY JAM AND QUINCE JAM.

On or about April 10, 1909, the St. Louis Syrup and Preserving Company, St. Louis, Mo., shipped from the State of Missouri to the State of Oklahoma a quantity of two food products, one of which was labeled "Strawberry, Clymer's Brand Jam. St. Louis Syrup & Preserving Co., U. S. A. The contents of this package is a compound of 50% fresh fruit; 30% granulated sugar, with 12% apple juice and 8% corn syrup. No coloring or preservative used. Serial No. 8563. St. Louis Syrup & Preserving Co."; the other bore the identical label except that the word "Quince" was substituted in the second label for the word "Strawberry". Samples of 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 thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said St. Louis Syrup and Preserving Company and the party from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the said 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 Eastern District of Missouri against the said St. Louis Syrup and Preserving Company, charging the above shipment and alleging that the former of the products so shipped was adulterated, in that it contained 38.8 per cent of commercial glucose or corn syrup, said commercial glucose having been mixed and packed with the product so as to reduce, lower, and injuriously affect the quality of said product, and in that said commercial glucose had been substituted in part for strawberry jam, and that the second of the above products was adulterated, in that it contained 64.45 per cent commercial glucose or corn syrup, said commercial glucose having been mixed and packed with said product in such a manner as

to reduce, lower, and injuriously affect the quality of said product, and in that said commercial glucose had been substituted in part for quince jam; and alleging that the former of the above products was misbranded, in that the label thereon was false and misleading and such as to deceive and mislead the purchaser, as it represented said product to contain but 8 per cent of corn syrup, when in truth and in fact it contained 38.8 per cent thereof, and that the latter of said products was misbranded in that the label thereon was false and misleading and such as to deceive and mislead the purchaser, as it represented said product to contain 8 per cent of corn syrup, when in truth and in fact it contained 64.45 per cent thereof.

On October 8, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$40 and costs.

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

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 9, 1910.*

