

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 703, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF PRESERVES.

(COLUMBIA BRAND COMPOUND GLUCOSE PRESERVES.)

On or about August 3, 1909, the St. Louis Syrup and Preserving Company, St. Louis, Mo., shipped from the State of Missouri to the State of Kentucky a quantity of three food products labeled respectively, "Columbia Brand Compound Glucose Apple Preserves, 25% Pear Stock, 22% Apple Stock, 43% Glucose, 10% Granulated Sugar, 14 oz. Net Weight, St. Louis Syrup & Pres. Co., St. Louis"; "Columbia Brand Compound Glucose Quince-Apple Preserves, 25% Quince Stock, 22% Apple Stock, 43% Glucose, 10% Granulated Sugar, 14 oz. Net Weight, St. Louis Syrup & Pres. Co., St. Louis"; and "Columbia Brand Compound Glucose Raspberry-Apple Preserves, 25% Raspberry Stock, 22% Apple Stock, 43% Glucose, 10% Granulated Sugar, 14 oz. Net Weight, St. Louis Syrup & Pres. Co., St. Louis." 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 products were 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 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, charging the above shipment and alleging that the "Compound Glucose Apple

Preserves" was adulterated, in that it contained 69 per cent of glucose, whereas the label thereon stated that it was a compound containing only 43 per cent of glucose, and that it further contained 0.16 per cent of phosphoric acid, the presence of which was not declared upon the label thereof, said excessive glucose and said phosphoric acid having been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality and having been substituted in part for the article; and that said product was misbranded, in that the label thereon was false and misleading and such as to deceive and mislead the purchaser into the belief that the product consisted wholly of the substances mentioned upon said label, to wit, pear stock, apple stock, glucose, and granulated sugar, when in truth and in fact it contained 69 per cent glucose instead of 43 per cent as set forth on said label, and in addition 0.16 per cent of phosphoric acid, which was not mentioned upon said label; alleging that the "Compound Glucose Quince-Apple Preserves" was adulterated, in that it contained 64 per cent of glucose, whereas the label thereon stated that it was a compound containing only 43 per cent of glucose, and in that it contained 0.16 per cent of phosphoric acid, the presence of which was not declared on said label, said glucose in excess of that declared upon the label and said phosphoric acid having been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality and having been substituted in part for the article described in the label thereon, and that said product was misbranded, in that the label thereon was false and misleading and such as to deceive and mislead the purchaser into the belief that the product consisted wholly of the things or substances mentioned upon the said label, to wit, quince stock, apple stock, glucose, and granulated sugar, when in truth and in fact it contained 64 per cent of glucose, whereas the label thereon stated that it only contained 43 per cent thereof, and also contained 0.16 per cent of phosphoric acid, which was not declared upon the label thereon above quoted; and alleging that the "Compound Glucose Raspberry-Apple Preserves" was adulterated, in that it contained 76 per cent of glucose, whereas the label thereon stated that it was a compound containing but 43 per cent of glucose and in addition it contained 0.16 per cent of phosphoric acid, the presence of which was not declared upon the label thereof, the said glucose in excess of that declared upon the label and said phosphoric acid having been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality and having been substituted in part for the article described upon the label thereof, and that said product was misbranded, in that the label thereon was false and misleading and such as to mislead and deceive the purchaser into the belief that the product consisted wholly of the things or substances

mentioned upon said label, to wit, raspberry stock, apple stock, glucose, and granulated sugar, when in truth and in fact the product contained 76 per cent of glucose, whereas the label stated that it contained only 43 per cent of glucose, and it further contained 0.16 per cent phosphoric acid, the presence of which was not declared upon the label thereon above quoted.

On October 8, 1910, the defendant pleaded guilty to the above information and the court imposed a fine of \$60 and costs.

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

WILLIS L. MOORE,
Acting Secretary of Agriculture.

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

