

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1502.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF MAPLE SUGAR.

On April 4, 1911, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Standard Syrup Co., late of the district aforesaid, alleging—

(1) Shipment by said company, in violation of the Food and Drugs Act, on or about May 18, 1910, from the State of Ohio into the State of Michigan of a consignment of maple sugar which was adulterated and misbranded. The product was branded on box: "Maple Sugar. The Standard Syrup Co., Cleveland, O."

Examination by the Bureau of Chemistry of this Department showed the following results: (I. S. No. 20002-b) "Total ash, 0.18 per cent; soluble ash, 0.12 per cent; insoluble ash, 0.06 per cent; lead number, 0.29; when calculated to a water free basis." The information alleged that the product was adulterated for the reason that it was composed in part of cane sugar which cane sugar had theretofore been substituted in part for maple sugar and was misbranded for the reason that the label on the product would mislead and deceive the purchaser into believing that said product was maple sugar, whereas in fact it was not maple sugar but an imitation of maple sugar made from cane sugar and flavored with a small amount of maple sugar.

(2) Shipment by said company, in violation of the Food and Drugs Act, on or about May 19, 1910, from the State of Ohio into the State of Michigan of a consignment of maple sugar which was adulterated and misbranded. The product was branded on the box: "Northern Ohio Sugar. Mfg. by Standard Syrup Co., Cleveland, O."

Examination by the Bureau of Chemistry of this Department showed the following results: (I. S. No. 20001-b) "Total ash, 0.09

per cent; insoluble ash, 0.03 per cent; Winton lead number, 0.36. The figures reported are for the moisture free basis. Analysis shows the product to contain little or no maple sugar." The information alleged that the product was adulterated for the reason that it consisted and was composed of a brown colored brick sugar, resembling and imitating maple sugar in color and appearance, the said imitation maple sugar being substituted wholly or in part for true maple sugar. Misbranding was alleged on the ground that by means of the label the purchaser of said product would be led and deceived to believe that it was maple sugar, whereas in fact it was a brown colored brick sugar, resembling and imitating maple sugar in color and appearance, but containing little, if any, maple sugar. Counts 1 and 2 of the information charged adulteration and misbranding respectively as to the shipment of May 18, 1910, and counts 3 and 4 charged adulteration and misbranding respectively as to the shipment made May 19, 1910.

On December 2, 1911, the defendant company entered a plea of nolo contendere as to the first and second counts of the information, and thereupon the court imposed a fine of \$25 and costs. Nolle prosequi entered as to the remaining counts.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *April 29, 1912.*

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