

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1512.

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

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### MISBRANDING OF CONFECTIONERY—WHIPPED CREAM MAPLE.

On January 26, 1912, the United States Attorney for the Northern District of Illinois, 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 Central Candy Co., Chicago, Ill., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about October 24, 1910, from the State of Illinois into the State of Minnesota, to Butler Bros., Minneapolis, Minn., of a consignment of 15 boxes of confectionery, known as Whipped Cream Maple, two boxes of which were reshipped in the original unbroken packages on or about November 3, 1910, by Butler Bros. from the State of Minnesota into the State of Washington, and which were misbranded. The product was labeled: "Atlanta Whipped Cream Maple (Comp.) Guaranteed by Butler Brothers under the Food & Drugs Act, June 30, 1906."

Examination by the Bureau of Chemistry of this Department showed the following results:

*Examination of interior of chocolate coated candy.*

Total ash (per cent) .....	0.17
Insoluble ash (per cent) .....	.03
Soluble ash (per cent) .....	.14
Lead number .....	.25
Direct polarization at 20° C.....°V	113.4
Invert polarization at 20° C.....°V	104.5
Invert polarization at 87° C. corrected for expansion.....°V	106.8
Sucrose, Clerget (per cent).....	6.60
Total sugars as invert (per cent).....	15.92
Reducing sugars as dextrose (per cent).....	8.59
Polarization due to sugar.....°V	13.5
Polarization due to dextrin.....°V	99.9
Dextrin (per cent).....	38.46

The sample has no flavor and there is no evidence of the presence of any appreciable amount of maple sugar. Dextrin shown to be present by both alcohol and iodine tests.

Misbranding was alleged in the information upon the ground that the label on the boxes of confectionery purported to state that said product was a whipped cream compounded with other ingredients, the exact nature of which was unknown, flavored with genuine maple syrup, whereas in truth and in fact the confection aforesaid did not contain any genuine maple syrup.

On February 16, 1912, a plea of guilty was entered by the defendant company and on February 27, 1912, the court imposed a fine of \$100 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 2, 1912.*

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