

**3676. Adulteration and misbranding of maple sirup. U. S. v. 4 Cases of Maple Sirup, More or Less. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 5824. I. S. No. 22098-h. S. No. E-72.)**

On July 28, 1914, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases of maple sirup, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the product had been transported from the State of New Jersey into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Pure Vermont Maple Syrup, Hopper, McGaw & Company, Importers and Grocers, Charles & Mulberry Streets, Baltimore, Maryland."

Adulteration of the product was alleged in the libel for the reason that there had been mixed and packed with maple sirup in said cases a sugar sirup other than maple in such a manner as to reduce and lower and injuriously affect its quality and strength; and further, because a certain substance, to wit, a sugar [sirup (?)] other than maple had been substituted in part for maple sirup in said cases. Misbranding was alleged for the reason that the product was an imitation of and offered for sale under the distinctive name of another article, in that said product, which was composed in part of maple sirup and in part of another product, to wit, sugar sirup other than maple, was an imitation of and offered for sale under the distinctive name of maple sirup, and for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser.

On September 19, 1914, Mervin E. Leslie, trading as Leslie, Dunham & Co., Newark, N. J., claimant, having filed his answer admitting the allegations of the libel and moving a rescission of the former decree pro confesso of the court, ordering the destruction of the property, said decree was ordered rescinded and a new judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be redelivered to said claimant upon payment of all of the costs of the proceedings and the execution of a good and sufficient bond in conformity with section 10 of the act, one of the conditions of which was that the labels on the cases of the product should be removed and that the product should not be sold as "Pure Vermont Table Syrup" but as a "Compound of Maple and Sugar Syrup."

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 12, 1915.*