

4591. Adulteration and misbranding of maple sirup. U. S. * * * v. Merwin E. Leslie, trading as Leslie Dunham & Co. Plea of guilty. Fine, \$20. (F. & D. No. 6899. I. S. No. 22098-h.)

On March 2, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Merwin E. Leslie, trading as Leslie Dunham & Co., Newark, N. J., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 20, 1914, from the State of New Jersey into the State of Maryland, of a quantity of maple sirup which was adulterated and misbranded. The article was labeled: "Pure Vermont Maple Syrup Hopper, McGaw & Co. Importers & Grocers, Charles & Mulberry Streets, Baltimore, Md."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids by refraction (per cent)-----	68.21
Nonsugar solids (per cent)-----	1.51
Sucrose, Clerget (per cent)-----	60.31
Reducing sugar before inversion (per cent)-----	6.39
Commercial glucose (factor 163) : None.	
Polarization, direct (°V)-----	+57.0
Polarization, invert at 26° C (°V)-----	-21.2
Polarization, invert at 87° C (°V)-----	0.0
Ash (per cent)-----	0.46
Ash, soluble in water (per cent)-----	0.25
Ash, insoluble in water (per cent)-----	0.15
Alkalinity of soluble ash (cc N/10 acid per 1 gram)-----	0.33
Alkalinity of insoluble ash (cc N/10 acid per 1 gram)-----	0.37
Lead precipitate (Winton number)-----	0.83

The analysis showed that sugar sirup had been substituted in part for pure maple sirup.

Adulteration of the article was alleged in the information for the reason that a substance other than maple sirup, to wit, sugar sirup, had been mixed and packed with the article so as to lower, or reduce, and injuriously affect its quality and strength, and had been substituted, in whole or in part, for pure Vermont maple sirup, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, maple sirup, whereas, in truth and in fact, it was not maple sirup, but was an imitation product composed, in whole or in part, of a sirup other than maple, to wit, sugar sirup. Misbranding was alleged for the further reason that the statement, to wit, "Pure Vermont Maple Syrup," borne on the label of the article, was false and misleading in that it represented that the article was pure Vermont maple sirup, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure Vermont maple sirup, whereas, in truth and in fact, it was not, but was an imitation product consisting, in whole or in part, of sugar sirup.

On May 8, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*