

**4827. Misbranding of sirup. U. S. v. The Union Starch and Refining Co., a corporation. Plea of guilty. Fine, \$200. (F. & D. No. 5717. I. S. No. 16247-k.)**

On May 12, 1916, the grand jurors of the United States, within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for the said district, returned an indictment in the District Court of the United States for the district aforesaid against the Union Starch & Refining Co., a corporation, Edinburg, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on May 20, 1915, from the State of Indiana into the State of Ohio, of a quantity of sirup which was misbranded. The article was labeled: "Net Weight 1 Lb. 8 oz. Monarch Brand Corn and Sugar Syrup Manufactured by Union Starch & Refining Co. Edinburg, Ind. Compound: 70% Corn Syrup; 30% Granulated Sugar Syrup Imitation Maple Flavor Caramel Color Guaranteed by Union Starch and Refining Co., Edinburg, Ind., under the Food and Drugs Act June 30, 1906. Serial No. 5854."

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

Polarization:

Direct at 29° C. (° V.)	-----	+152.2
Invert at 29° C. (° V.)	-----	+140.0
Invert at 87° C. (° V.)	-----	+138.0
Reducing sugars as invert before inversion (per cent)	----	30.92
Reducing sugars as invert after inversion (per cent)	----	40.84
Sucrose by Clerget (per cent)	-----	9.52
Sucrose by copper (per cent)	-----	9.42
Commercial glucose (factor 163) (per cent)	-----	84.66

Contains more corn sirup and less granulated sugar sirup than is declared on the label.

Misbranding of the article was charged in the indictment for the reason that the statement, to wit, "70% corn syrup, 30% granulated sugar syrup," borne on the labels attached to the cans containing the article, was false and misleading, in that it represented that the article contained not more than 70 per cent of corn sirup and not less than 30 per cent of granulated sugar sirup; and for the further reason that the article was labeled "70% corn syrup; 30% granulated sugar syrup," so as to deceive and mislead the purchaser thereof into the belief that it contained not more than 70 per cent of corn sirup and not less than 30 per cent of granulated sugar sirup, whereas, in truth and in fact, it contained more than 70 per cent of corn sirup and contained less than 30 per cent of granulated sugar sirup, as aforesaid.

On May 19, 1916, the defendant company entered a plea of guilty to the indictment, and the court imposed a fine of \$200 and costs.

CARL VROOMAN,  
*Acting Secretary of Agriculture.*