

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 793, FOOD AND DRUGS ACT.

MISBRANDING OF TABLE SYRUP.

On or about November 2, 1909, Jacob M. Nathan, Grand Rapids, Mich., shipped from the State of Michigan to the State of Wisconsin a quantity of a food product labeled: "Vermont style fine table syrup. Cane and maple blended, 50% maple, 50% cane. Put up by Maple Products Co. St. Johnsbury, Vt. Chicago, Ill. Guaranteed under U. S. Pure Food laws to contain no drugs or preservatives." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to contain less than 35 per cent maple syrup. As the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said Jacob M. Nathan and the party from whom the samples were procured were afforded opportunities for hearings, and as it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

On November 1, 1910, a criminal information was filed in the District Court of the United States for the Western District of Michigan against the said Jacob M. Nathan, charging the above shipment and alleging that the product so shipped was misbranded, in that the label above set forth, appearing on the containers of the product, conveyed the impression that said product consisted of a mixture of 50 per cent maple syrup, and 50 per cent cane syrup, when in truth and in fact it contained only 35 per cent maple syrup and about 65 per cent cane syrup, said statements being, therefore, false and misleading, and such as to deceive the purchaser.

On November 7, 1910, the defendant entered a plea of guilty to the above information, and the court imposed a fine of \$25.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *February 25, 1911.*