

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1309.

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

ADULTERATION AND MISBRANDING OF MAPLE SUGAR.

On April 29, 1911, the United States Attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 12 sacks of sugar in the possession of the Standard Candy Co. The containers were not labeled in any manner to indicate the nature of their contents, but the goods were invoiced and shipped to the consignee as "12 Sax B. Sugar," and the manager of the consignee firm stated that the product was purchased as "Pure Maple Sugar," and the contract between his firm and the shippers called for the delivery of "Pure Beauce County Maple Sugar."

An analysis, made by the Bureau of Chemistry of the United States Department of Agriculture, of samples of said product showed the following results: Solids by the refractometer, 95.05 per cent; total ash calculated to sirup of 65 per cent solids, 0.66 per cent; insoluble ash calculated to sirup of 65 per cent solids, 0.10 per cent; alkalinity of soluble ash calculated to sirup of 65 per cent solids, 2.5 cc of N/10 acid; alkalinity of insoluble ash calculated to sirup of 65 per cent solids, 3.2 cc of N/10 acid; lead number, 1.15. The libel alleged that the sugar, after shipment by the Arcadia Maple Co., Kansas City, Mo., from the State of Missouri into the State of Wisconsin, remained in the original unbroken packages and was adulterated and misbranded in violation of the Food and Drugs Act of June 30, 1906, and was therefore liable to seizure for confiscation. Adulteration was alleged for the reason that a substance, to wit, brown sugar, had been mixed and packed with the product so as to reduce and lower and injuriously affect its quality or strength, and had been substituted wholly or in part for the pure maple sugar.

Misbranding was alleged for the reason that said product was an imitation of, and sold under the distinctive name of, another article, to wit, "Pure Beauce County Maple Sugar."

On September 9, 1911, the said cause coming on for hearing and no one having appeared as claimant, the court entered a decree condemning and forfeiting the product to the United States as adulterated and misbranded, and ordering it to be sold by the marshal in a manner not in contravention of law, and, in default of said sale, that the same should be destroyed.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 22, 1912.*

1309

