

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2053.

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

MISBRANDING OF "SUNSHINE SUFFOLK BISCUIT (ARROWROOT)".

On January 20, 1912, the United States Attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Loose-Wiles Biscuit Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on May 25, 1911, from the State of Massachusetts into the State of Missouri, of a quantity of so-called "Sunshine Suffolk Biscuit (Arrowroot)", which was misbranded. The product was labeled: "Sunshine Suffolk (Arrowroot) Biscuit * * * Better than candy for children * * * Serial No. 7955. Loose-Wiles Biscuit Co."

Examination of a sample of the product by the Bureau of Chemistry of this Department showed only wheat flour, with a trace of corn starch, to be present. No arrowroot could be detected. Misbranding of the product was alleged in the information for the reason that the label on the containers thereof bore a certain statement regarding it which was false and misleading in certain particulars, that is to say, the statement in substance and effect following, "arrowroot", whereas in truth and in fact the product did not contain arrowroot. Misbranding was alleged for the further reason that the product was offered for sale and sold under the distinctive name of another article, to wit, arrowroot biscuit, whereas in truth and in fact it was not arrowroot biscuit.

On September 19, 1912, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$50.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 30, 1912.*