

5947. Misbranding of "Eastern Star Maple Flavor Sugar Butter Mixture." U. S. * * * v. Frederick O. Bailey, William T. Bailey, and J. Royal Bailey (Marshalltown Syrup and Sugar Co.). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 8244. I. S. No. 10145-1.)

On June 6, 1917, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frederick O. Bailey, William T. Bailey and J. Royal Bailey, trading as the Marshalltown Syrup and Sugar Co., Marshalltown, Iowa, alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about September 29, 1915, from the State of Iowa into the State of Illinois, of a quantity of an article labeled in part, "Eastern Star Maple Flavor Sugar Butter Mixture * * *, Put up by Marshalltown Syrup & Sugar Co., Marshalltown, Iowa," which was misbranded.

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

Solids (by drying) (per cent)-----	91.7
Nonsugar solids (per cent)-----	19.7
Sucrose (Clerget) (per cent)-----	54.3
Reducing sugars as invert (per cent)-----	17.7
Commercial glucose (factor 163) (per cent)-----	38.3
Polarization, direct at 26° C. (° V)-----	+118.4
Polarization, invert at 26° C. (° V)-----	+ 48.0
Polarization, invert at 87° C. (° V)-----	+ 62.4

Product contains more than 25 per cent glucose.

Misbranding of the article was alleged in the information for the reason that the statements appearing on the label concerning the article and the ingredients and substances contained therein, to wit, "25% Corn Syrup * * * small amount of corn syrup to prevent crystallization," were false and misleading in that they represented to purchasers that the article contained not more than 25 per cent of corn sirup, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not more than 25 per cent of corn sirup, whereas, in truth and in fact, it contained more than 25 per cent of corn sirup.

On December 19, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*