

Bureau of Chemistry of the United States Department of Agriculture, and the following results obtained and stated:

Solids (per cent)	71.00
Polarization, direct, at 25°C. (°V.)	+76.9
Polarization, invert, at 25°C. (°V.)	+36.4
Polarization, invert, at 87°C. (°V.)	+48.4
Sucrose (Clerget) (per cent)	31.1
Glucose (87°C./163) (per cent)	29.7
Ash (per cent)	0.82

It was apparent that the article was misbranded within the meaning of section 8 of the act, because labeled to represent that it was Georgia cane sirup, whereas it was a mixture of cane sirup and glucose, and the statements in the label, "Georgia cane," "Best in the world," and "The syrup that made Georgia famous," were false and misleading.

The Secretary of Agriculture having on October 5, 1908, afforded the manufacturers an opportunity to show any fault or error in the aforesaid analysis, and they having failed to do so, the facts were, on January 9, 1909, reported to the attorney-general and the case referred to the United States attorney for the northern district of Georgia, who filed an information against the said D. R. Wilder Manufacturing Company, with the result hereinbefore stated.

H. W. WILEY,
F. L. DUNLAP,
GEO. P. MCCABE,

Board of Food and Drug Inspection.

Approved:

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 1, 1909.*

(N. J. 107.)

MISBRANDING OF VERMONT OR MAPLE SUGAR.

(AS TO PRESENCE OF CANE SUGAR.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 6th day of May, 1909, in the supreme court of the District of Columbia, in a proceeding of libel for condemnation of 150 pails of sugar, that is to say, a product containing not more than 50 per cent of maple sugar which had been billed and sold as "Vermont Sugar" and shipped in pails that bore no label to indicate its true character, wherein the United States was libelant and J. M. Beeman & Son, of Fairfax, Vt., were claimants, the cause having come on for a hearing and the said claimants having admitted the allegations of the libel, a decree of forfeiture and condemnation was rendered by the court in substance and in form as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA, HOLDING A DISTRICT COURT.

UNITED STATES OF AMERICA	}	District No. 803.
<i>vs.</i>		
150 PAILS OF SUGAR PURPORTING TO BE Vermont Sugar or Maple Sugar.		

JUDGMENT OF CONDEMNATION.

Upon motion of the United States for judgment of condemnation in the above entitled cause, and it appearing to the court that upon the libel filed herein January 15, 1909, the marshal of the United States for the District of Columbia seized one hundred and forty-seven pails of sugar purporting to be Vermont sugar or maple sugar, being the same referred to in said libel, the said products being of the value of one hundred ten and $\frac{25}{100}$ dollars (\$110.25), as appears by the inventory of said marshal filed herein, and it appearing to the court that the claimants of the said product so seized as aforesaid, A. B. Beeman and A. A. Beeman, trading as J. M. Beeman & Son, have entered their appearance and filed herein their admissions of the allegations of said libel, and consent that judgment may be entered pursuant to the prayer of the same, and no objection being signified to the court, it is accordingly this sixth day of May, A. D. 1909,

Adjudged, ordered, and decreed: That the said one hundred and forty-seven pails with contents purporting to be Vermont sugar or maple sugar, be, and they hereby are, declared to be misbranded in violation of the act of Congress approved June thirtieth, A. D. 1906 (34 Statutes at Large, 768), in that the contents of the said pails consist of not more than fifty per cent of maple sugar and the addition of some other substance having the appearance, color, and general semblance of the article known as maple or Vermont sugar, and in that the said pails mislead and deceive the purchaser and the public by containing a product which has the general semblance, appearance, color, and apparent condition of maple or Vermont sugar, and the said pails are not so labeled in any wise and bear no mark, brand, or device showing the true character of the substance they contain, and bear no formula or statement notifying the public that the contents of the said pails are not maple or Vermont sugar, and in that such deliberate unbranding and unlabeled is a deception within the meaning of the said act approved June thirtieth, A. D. 1906, of like effect in law by indirectly misleading the purchaser as a positive misbranding would be by directly misleading the purchaser, in manner and form as claimed in the said libel.

It is further ordered that the said one hundred and forty-seven pails of sugar purporting to be Vermont sugar or maple sugar, so as aforesaid in the custody of the said marshal, be, and they hereby are, ordered to be condemned and disposed of by sale under such terms and conditions as will not violate the provisions of the said act approved June thirtieth, A. D. 1906.

It is further ordered that the claimants, A. B. Beeman and A. A. Beeman, trading as J. M. Beeman and Son, pay all the costs of these proceedings.

It is provided, however, that upon said claimants, A. B. Beeman and A. A. Beeman, trading as J. M. Beeman and Son, paying all the costs of these proceedings and executing and delivering to the said United States a good and sufficient bond, with surety, to be approved by the court, in the penal sum of five hundred dollars, conditioned that the said one hundred and forty-seven pails of sugar purporting to be Vermont sugar or maple sugar shall not be sold or in any manner whatsoever disposed of contrary to the provisions of the said act approved June thirtieth, A. D. 1906, the said marshal shall redeliver and

surrender the said one hundred and forty-seven pails of sugar purporting to be Vermont sugar or maple sugar to the said claimants, A. B. Beeman and A. A. Beeman, trading as J. M. Beeman and Son, in lieu of such disposition by sale as aforesaid.

By the court.

(Signed)

THOS. H. ANDERSON, *Justice*.

The facts in the case were as follows:

On or about January 13, 1909, an inspector of the Department of Agriculture found in the possession of E. M. Sheetz, 505 Twelfth street, NW., Washington, D. C., 150 pails (4,970 pounds) of sugar which had been manufactured by J. M. Beeman & Son, Fairfax, Vt., and shipped to said Sheetz by the J. M. Washburne Company, of 50 Broadway, New York. The pails bore no label or other marks which would indicate the nature of the contents and the consignment was sold, billed, and shipped as "Vermont sugar." The contents of each pail had the color and other appearances of maple sugar. A sample of this product was collected by the inspector and subjected to analysis in the Bureau of Chemistry of the United States Department of Agriculture and the following results obtained and stated:

Total solids	per cent..	90.41
Polarization, direct, at 20° C. (°V.)		+73.9
Polarization, invert, at 20° C. (°V.)		-27.0
Sucrose (Clerget)	per cent..	76.5
Reducing sugars	do	6.43
Total ash	do	.207
Insoluble ash	do	.137
Soluble ash	do	.070
Ratio of soluble to insoluble ash		1:2
Winton lead number62

It was apparent that the product was a mixture of cane and maple sugar and was misbranded within the meaning of sections 7 and 8 of the act, because it had been invoiced and sold under the name of "Vermont sugar" and had the appearance, color, and general semblance of a food product known as maple sugar or "Vermont sugar," and bore no label, brand, mark, or device of any kind showing the true character of the article. On January 14, 1909, the facts were reported by the Secretary of Agriculture to the United States attorney for the District of Columbia and libel for seizure and condemnation under section 10 of the act was duly filed with the result hereinbefore stated.

H. W. WILEY,

F. L. DUNLAP,

GEO. P. McCABE,

Board of Food and Drug Inspection.

Approved:

JAMES WILSON,

Secretary of Agriculture.

WASHINGTON, D. C., November 1, 1909.