

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 802, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF MAPLE SIRUP.

On or about December 20, 1910, W. L. Baker, Blodgetts Mills, N. Y., shipped from said town to the city of New York through the State of New Jersey six cases, each of which was labeled: "Hildreth & Segelken, Commission Merchants, New York.", each of said cases containing six 1-gallon cans of a product labeled: "York State Brand Maple Sirup. This sirup is refined and pure and complies with the pure food laws. Packed and shipped by W. L. Baker, Blodgetts Mills, N. Y." Analysis of samples of this product by the Bureau of Chemistry, United States Department of Agriculture, showed it to consist largely of cane sugar sirup and therefore to be adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of New York.

In due course a libel was filed in the Circuit Court of the United States for said district against the said six cases of sirup, charging the above shipment and alleging the product so shipped to be adulterated in that a substance, to wit, cane sugar sirup, had been mixed with the said maple sirup so as to reduce, lower, and injuriously affect its quality and strength; in that a substance, to wit, cane sugar sirup, had been substituted wholly or in part for said maple sirup; in that a valuable constituent of said article of food had been wholly or in part abstracted therefrom, to wit, maple sirup; and alleging the product to be misbranded in that the label above set forth bears a statement, design, and device regarding said maple sirup and ingre-

dients contained therein which is false and misleading; in that it is an imitation of and offered for sale under the distinctive name of another article, to wit, maple sirup; and in that the product in question is labeled and branded so as to deceive and mislead the purchaser; and praying seizure, condemnation, and forfeiture of the product.

The cause coming on for hearing and no answer having been filed to the above libel, the court being fully informed in the premises, issued its decree condemning and forfeiting the product to the United States for the causes set forth in said libel, and ordering the destruction thereof by the marshal of said district.

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., *March 6, 1911.*