

Issued May 18, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 1399.

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

### MISBRANDING OF MOLASSES TEMTORS.

On September 9, 1911, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the St. Louis Syrup & Preserving Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about April 22, 1910, from the State of Missouri into the State of Wisconsin, of a quantity of "Open Kettle Molasses Temtors," which were misbranded. The product was labeled: "Absolutely Pure Clymer's Open Kettle Molasses Temtors. Registered 24594. St. Louis Syrup & Preserving Co. xxx Is an open kettle plantation product, made from the best xxx Conforms to all pure food laws. xxx" Rubber stamp: "2 lbs. Net."

Examination of samples of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results: Net weight can No. 1,  $27\frac{3}{4}$  oz.; can No. 2,  $27\frac{1}{8}$  oz.; can No. 3,  $26\frac{5}{8}$  oz.; can No. 4,  $27\frac{3}{4}$  oz.; average net weight,  $27\frac{5}{16}$  oz.; average shortage, 14.65 per cent. Misbranding was alleged in the information in words and figures as follows: That the said label upon said package was false and misleading in this, that it described the contents of said can or package as weighing 2 pounds net, when in truth and in fact said product did not weigh 2 pounds net, but, on the contrary, weighed a materially less amount; and said can or package and said product contained therein were further misbranded in this, that said product was in package form and the said contents of said can or package were stated in terms of weight as follows, to wit: "2 lbs. net," which label and statement were untrue, false, and misleading; and the contents of said package were not plainly and correctly stated on the outside of said package or can, for the reason that said contents of said can did not weigh 2 pounds net, but on the contrary thereof, weighed a materially different and less amount than 2 pounds net.

On December 9, 1911, the defendant pleaded guilty and was fined \$10 and costs.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *February 7, 1912.*