

5052. Adulteration and misbranding of "Pure Northern Ohio Sugar." U. S. * * * v. Northern Ohio Syrup and Manufacturing Co., a corporation. Plea of nolo contendere. Fine, \$35 and costs. (F. & D. No. 7069. I. S. No. 7398-h.)

On March 8, 1916, the United States attorney for the Northern District of Ohio, 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 Northern Ohio Syrup and Manufacturing Co., a corporation, Cleveland, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 25, 1914, from the State of Ohio into the State of Michigan, of a quantity of maple sugar which was adulterated and misbranded. The article was labeled in part: "Pride of Northern Ohio Sugar. * * *" and "Pure Northern Ohio Sugar Northern Ohio Syrup & Mfg. Co., Cleveland, O."

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

Solids by refraction (per cent)-----	94. 16
Nonsugar solids (per cent)-----	2. 86
Sucrose, Clerget (per cent)-----	86. 45
Reducing sugars as invert (per cent)-----	4. 85
Commercial glucose (factor 163): Absent.	
Polarizations:	
Direct at 26° C-----	+84. 9° V
Invert at 26° C-----	-27. 2° V
Invert at 87° C-----	0. 0
Total ash (per cent)-----	0. 80
Ash soluble in water (per cent)-----	0. 76
Ash insoluble in water (per cent)-----	0. 04
Ratio soluble to insoluble ash-----	19.
Alkalinity soluble ash (cc N/10 acid per 100 grams)-----	180.
Lead precipitate (Winton number)-----	0. 61
Organeleptic test: Taste unlike maple.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, brown sugar, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and [had] been substituted, in whole or in part, for maple sugar, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Pure Northern Ohio Sugar," borne on the shipping package, and the statement, to wit, "Pride of Northern Ohio Sugar," borne on the package, were false and misleading in that they represented that said article was maple sugar; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it was maple sugar, whereas, in truth and in fact, it was not, but was a product consisting, in whole or in part, of brown sugar. Misbranding was alleged for the further reason that it was an imitation of maple sugar and was not labeled, branded, or tagged so as plainly to indicate that it was an imitation, and the word, "imitation," was not plainly stated on the package in which it was sold.

On January 31, 1916, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$35 and costs.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*