

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1548.

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

MISBRANDING OF SUGAR BUTTER.

On October 17, 1911, 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 the Kellogg Manufacturing Co., a corporation of Keokuk, Iowa, alleging shipment by it, in violation of the Food and Drugs Act, on or about November 2, 1910, from the State of Iowa into the State of Indiana, of a consignment of sugar butter which was misbranded. The product was labeled: "Gate City Brand Sugar Butter, Maple Flavor; Manufactured by Kellogg M'fg Co., Keokuk, Iowa. Made from 20% maple syrup, 70% cane syrup, 10% corn syrup. For icings and fillings, as a spread on warm biscuit or cakes, or as a syrup by adding sufficient water to reduce it to proper consistency. For candy making use the same as ordinary sugar, except use less water."

An analysis by the Bureau of Chemistry of this Department showed the following results: Solids by refractometer, 84.8 per cent; nonsugar solids, 14.6 per cent; sucrose, by Clerget, 55.4 per cent; reducing sugars as invert, 14.8 per cent; commercial glucose (factor 163), 33.1 per cent; polarization direct, temperature 24° C., 110.3; polarization invert, temperature 24° C., 37.9; polarization invert, 87° C., 53.9; ash, 0.35 per cent; ash, soluble in water, 0.18 per cent; ash, insoluble in water, 0.17 per cent; ratio, soluble to insoluble ash, 1:1; alkalinity, soluble ash, cc N/10 acid 100 grams, 17.5; lead precipitate (Winton number), 0.03; Beckman's sugar test, glucose present. Misbranding was alleged in the information for the reason that the label on the product bore the false, untrue, and misleading statement that the product contained only 10 per cent of corn syrup, when in truth and in fact it is shown by the analysis to have contained 33.1 per cent of corn syrup (commercial glucose), and the label was therefore such as to mislead and deceive the purchaser.

On October 18, 1911, the defendant appeared in court and entered a plea of guilty and the court imposed a fine of \$20 and costs.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., May 14, 1912.

