

Maid sirup by said bureau showed that it was a mixture of glucose and sucrose colored with caramel and flavored with artificial maple flavor.

Misbranding of the Maple Maid sirup was alleged in the information for the reason that the statement, to wit, "Maple Maid Syrup," borne on the labels attached to the cans containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of maple sirup, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of maple sirup, whereas it did not so consist, but did consist of an artificially flavored product composed in part of glucose and cane sugar.

Misbranding of the American Maid sirup was alleged for the reason that the statement, to wit, "Syrup Made from Refined Sugar Maple Flavored," borne on the labels attached to the cans containing the article, was false and misleading, in that the said statement represented that the article was a sirup made from refined sugar and flavored with maple, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a sirup made from refined sugar flavored with maple, whereas it was not but was a product composed of commercial glucose and sucrose artificially colored with caramel and artificially flavored with imitation maple flavor.

Misbranding was alleged with respect to both products for the reason that they were imitations of and were offered for sale and sold under the distinctive names of other articles.

On December 2, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

12929. Misbranding of bakery products. U. S. v. the Lindquist Cracker Co., a Corporation. Plea of guilty. Fine, \$120. (F. & D. No. 18723. I. S. Nos. 12116-v, 12119-v, 12120-v, 20603-v, 20604-v, 20605-v.)

On September 16, 1924, the United States attorney for the District of Colorado, 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 Lindquist Cracker Co., a corporation, alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about January 11, 14, and 23, 1924, respectively, from the State of Colorado into the States of New Mexico, Wyoming, and Montana, respectively, of quantities of bakery products which were misbranded. The articles were labeled in part, respectively: "'Sincerity' Fig Bar The Lindquist Cracker Co. Denver, Colo. Net Weight 8½ Ozs."; "Sincerity Coconut Dainties The Lindquist Cracker Co. Denver, Colo. Minimum Net Weight 7½ Oz"; (case) "1 Doz. 2 Lb. Caddie Grahams Crackers from the Lindquist Cracker Co., Denver, Colo."; (package) "Finest Quality Graham Crackers"; "'Sincerity' Health Biscuit Graham Crackers The Lindquist Cracker Co. Denver, Colo. Net Weight 8½ Ozs."; "Sincerity Lemon Wafers Minimum Net Weight 6 ¾ Oz. The Lindquist Cracker Co. Denver, Colo."

Examination of the articles by the Bureau of Chemistry of this department showed that the average net weight of 24 packages of the fig bars from one shipment was 7.8 ounces and that of 48 packages from another shipment was 8.1 ounces, the average net weight of 24 packages of the lemon wafers was 4.6 ounces, the average net weight of 24 packages of the coconut dainties was 6.7 ounces, the average net weight of 48 packages of the alleged 8½-ounce graham crackers was 7.6 ounces, and the average net weight of 12 packages of the alleged 2-pound packages of graham crackers was 1 pound 12.4 ounces.

Misbranding of the articles was alleged in substance in the information for the reason that the statement, to wit, "Net Weight 8½ Ozs.," borne on the packages containing the fig bars, the statement "Minimum Net Weight 7½ Oz.," borne on the packages containing the coconut dainties, the statement "1 Doz. 2 Lb. Caddie Grahams Crackers," borne on the case inclosing the packages containing a portion of the graham crackers, the statement "Net Weight 8½ Ozs.," borne on the packages containing the remainder of the graham crackers, and the statement "Minimum Net Weight 6¾ Oz.," borne on the packages containing the lemon wafers, were false and misleading, in that the said statements represented that the packages contained the amounts of the respective articles labeled thereon, and for the further reason that the articles were labeled as above so as to deceive and mislead the purchaser into the belief that the said packages contained the amounts of the respective

articles labeled thereon, whereas the packages did not contain the amounts of the respective articles declared on the said labels but did contain less amounts.

On December 2, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$120.

W. M. JARDINE, *Secretary of Agriculture.*

12930. Adulteration and misbranding of sirup and misbranding of coffee and tea. U. S. v. the Early Coffee Co., a Corporation. Plea of guilty. Fine, \$370. (F. & D. No. 18729. I. S. Nos. 10803-v, 10804-v, 11345-v, 11349-v, 11350-v, 12109-v, 12111-v, 12113-v, 12115-v, 12117-v, 12125-v.)

On December 2, 1924, the United States attorney for the District of Colorado, 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 Early Coffee Co., a corporation, Denver, Colo., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about January 9, 17, and 18, 1924, respectively, from the State of Colorado in part into the State of Wyoming and in part into the State of Nebraska, of quantities of sirup, a portion of which was adulterated and misbranded and the remainder of which was misbranded; on or about December 21, 1923, and January 10, 11, 17, and 18, 1924, respectively, from the State of Colorado in part into the State of Wyoming and in part into the State of Nebraska, of quantities of coffee which was misbranded; and on or about January 9, 1924, from the State of Colorado into the State of Wyoming, of a quantity of tea which was misbranded. Four of the shipments of sirup were in unlabeled cans, but were invoiced as sirup, and one shipment was labeled in part: "5# Net Weight The Early Breakfast Table Syrup The Early Coffee Company, Denver, Colo. Corn Syrup and Cane Sugar Flavored with Maple." One shipment of coffee was in unlabeled bags, three shipments were labeled in part, "Early's Coffee Denver," and one shipment was labeled, "Full Pound Net Weight The Early Coffee Co. Denver, Colo." The shipment of tea was labeled in part: "Pound Early's Breakfast Plantation Tea * * * Guaranteed under the Pure Food and Drugs Act June 30, 1906. Packed by T. J. Early Coffee Co. Denver, Colo."

Examination by the Bureau of Chemistry of this department of the unlabeled sirup showed that it consisted in large part of glucose. Examination of 10 cans of the sirup labeled "5# Net Weight" showed an average net weight of 4 pounds 12 ounces. Examination by said bureau of 22 packages of the tea showed an average net weight of 7.8 ounces.

Adulteration of the shipments of unlabeled sirup was alleged in the information for the reason that glucose had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for sirup, which the said article purported to be.

Misbranding was alleged with respect to the said shipments of sirup for the reason that it was composed in part of glucose, prepared in imitation of and offered for sale and sold under the distinctive name of another article, to wit, sirup.

Misbranding of the shipment of labeled sirup was alleged for the reason that the statement "5# Net Weight," borne on the cans containing the article, was false and misleading in that the said statement represented that each of the said cans contained 5 pounds net weight of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 5 pounds net weight of the said article, whereas each of said cans did not contain 5 pounds net weight of the article but did contain a less amount.

Misbranding of the tea was alleged for the reason that the statements, to wit, "Pound" and "Guaranteed under the Pure Food and Drugs Act," borne on the packages containing the article, were false and misleading, in that they represented that each of the said packages contained 1 pound of the article and that it conformed to the requirements of the food and drugs act of June 30, 1906, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said packages contained 1 pound of the article and that it conformed to the requirements of the food and drugs act of June 30, 1906, whereas each of said packages did not contain 1 pound of the article but did contain a less amount, and it did not conform to the requirements of the food and drugs act of June 30, 1906.