

Issued October 18, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1121.

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

MISBRANDING OF CANE AND MAPLE SUGAR BUTTER.

On November 25, 1910, the United States Attorney for the Southern District of Iowa, acting upon the report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Marshalltown Syrup & Sugar Co., alleging shipment by it, in violation of the Food and Drugs Act, on December 4, 1909, from the State of Iowa into the State of Texas, of a quantity of sugar butter which was misbranded. The product in question was labeled: "Fireside Brand Cane & Maple Sugar Butter Packed for Boren-Stewart Co., Dallas, Texas. Fireside Cane and Maple Sugar Butter. For cake, frosting, filling, and icing. It is delicious on hot cakes or biscuits. Also spread on bread and butter—goes further than maple sugar or syrup and much more nutritious. This package contains one pint and is a mixture of cane and maple sugar so blended as to give the most pleasant and lasting flavor and a substance used to produce inversion of cane sugar. Packed for Boren-Stewart Co., Dallas, Texas."

Analysis of said product by the Bureau of Chemistry of the United States Department of Agriculture showed it to contain one-tenth of 1 per cent benzoate of soda. Misbranding was alleged for the reason that the statement on the above label, to wit, "cane and maple sugar butter" without qualification is false and misleading as it conveys the impression that the product is composed only of the ingredients named, whereas in addition thereto the said product contains benzoate of soda of which the purchaser is not informed.

On May 16, 1911, the defendant pleaded guilty, and on May 22, 1911, the court imposed a fine of \$20.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 18, 1911.*

