

FEDERAL TRADE COMMISSION DECISIONS

FINDINGS AND ORDERS, JUNE 12, 1929, TO MAY 4, 1930

IN THE MATTER OF

CALUMET BAKING POWDER COMPANY

COMPLAINT (SYNOPSIS), FINDINGS AND ORDER IN REGARD TO THE ALLEGED VIOLATION OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914.

Docket 1127. Complaint, Feb. 26, 1924¹—Decision, June 12, 1929

Where a corporation engaged in the manufacture of baking powder; in promoting the sale of its product through salesmen and demonstrators, who systematically covered and recovered assigned territories in large numbers as required satisfactorily to sustain the sale of the product and thus "demonstrated" whole States,

Employed the so-called cold water glass test of its powder and those of its competitors, before retail and wholesale grocers or dealers and their customers, bakers, chefs, and managers or owners of cafés, restaurants and hotels, department stores and cooking or demonstrating schools, housewives, and the purchasing and consuming public, together with talks, representations, and statements to show and claim the superiority of its said powder over competitive products by reason of its alleged quick and sustained action irrespective of oven and other conditions, as demonstrated by the rising or effervescence of its own product to the top of the glass and beyond, upon the addition of cold or room temperature water thereto, and/or the relative stability of the resulting foaming effervescence, in contrast with results secured from competitive powders, which in either one or both of the foregoing respects fell short, and thereby allegedly indicated corresponding shortcomings of said powders, in being too slow, or fast, or not sustained, in their action, and thus responsible for soggy or fallen bread, biscuits, etc., and unsatisfactory or unwholesome results;

The facts being that the amount of effervescence of the various powders was dependent on the chemical reaction from the particular acids employed and the relative stability of its own mixture was due to inclusion in the product of a small proportion of dried white of egg (to which product said ingredient added nothing in the way of carbon dioxide strength or leavening power or efficiency), action of said powder in the test was in nowise comparable to the action taking place in baking and cooking, the test afforded no criterion whatever as regards size, character or uniformity of

¹ Amended, Nov. 21, 1925.

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IN THE MATTER OF CALUMET BAKING POWDER COMPANY

COMPLAINT (SYNOPSIS), FINDINGS AND ORDER IN REGARD TO THE ALLEGED
VIOLATION OF SEC. 3 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914.

Docket 1127. Complaint, Feb. 26, 1924¹—Decision, June 12, 1929

Where a corporation engaged in the manufacture of baking powder; in promoting the sale of its product through salesmen and demonstrators, who systematically covered and recovered assigned territories in large numbers as required satisfactorily to sustain the sale of the product and thus "demonstrated" whole States,

Employed the so-called cold water glass test of its powder and those of its competitors, before retail and wholesale grocers or dealers and their customers, bakers, chefs, and managers or owners of cafés, restaurants and hotels, department stores and cooking or demonstrating schools, housewives, and the purchasing and consuming public, together with talks, representations, and statements to show and claim the superiority of its said powder over competitive products by reason of its alleged quick and sustained action irrespective of oven and other conditions, as demonstrated by the rising or effervescence of its own product to the top of the glass and beyond, upon the addition of cold or room temperature water thereto, and/or the relative stability of the resulting foaming effervescence, in contrast with results secured from competitive powders, which in either one or both of the foregoing respects fell short, and thereby allegedly indicated corresponding shortcomings of said powders, in being too slow, or fast, or not sustained, in their action, and thus responsible for soggy or fallen bread, biscuits, etc., and unsatisfactory or unwholesome results;

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