

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NOS. 123-133, FOOD AND DRUGS ACT.

- 123. Adulteration and misbranding of vanilla extract.
- 124. Adulteration and misbranding of wheat flour.
- 125. Adulteration of milk. (Added water.)
- 126. Misbranding of canned corn. (Under weight.)
- 127. Adulteration and misbranding of syrup. (As to presence of glucose.)
- 128. Misbranding of canned corn. (Under weight.)
- 129. Adulteration and misbranding of buckwheat flour. (As to presence of wheat flour.)
- 130. Adulteration and misbranding of lemon extract.
- 131. Misbranding and adulteration of rye flour.
- 132. Adulteration of milk.
- 133. Adulteration and misbranding of olive oil. (A mixture of cottonseed and olive oils.)

(N. J. 123.)

ADULTERATION AND MISBRANDING OF VANILLA EXTRACT.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 26th day of April, 1909, in the district court of the United States for the western district of Missouri, in a prosecution by the United States against the Paddock Coffee and Spice Company, a corporation of Kansas City, Mo., for violation of section 2 of the aforesaid act in shipping and delivering for shipment from Missouri to Kansas an adulterated and misbranded vanilla extract, the said Paddock Coffee and Spice Company entered a plea of guilty and the court imposed upon it a fine of \$25.

The facts in the case were as follows:

On August 13, 1907, an inspector of the Department of Agriculture purchased from Price & Kimball, Rosedale, Kans., a sample of an article of food labeled: "2 oz. full measure Paddock's Vanilla

Flavor. This flavor is made from Vanilla Beans, Vanillin, Coumarin, Alcohol and water and is colored with Caramel. Guaranteed under Food & Drugs Act June 30/06. Guarantee No. 92, Paddock Coffee & Spice Co., K. C., Mo." The sample was analyzed in the Bureau of Chemistry of the United States Department of Agriculture and the following results obtained and stated:

Vanillin (per cent)-----	0.158
Coumarin (per cent)-----	0.08
Resins-----	Very small amount.
Coloring matter-----	Caramel.
Amyl Alcohol-----	Trace natural color.

Vanilla extract, or flavor, as recognized by reliable manufacturers and dealers, is the flavoring extract prepared from vanilla bean and contains the soluble matters from not less than 10 grams of the vanilla bean to each 100 cc.

The analysis of the aforesaid sample disclosed practically the total absence of extract of the vanilla bean and the presence of artificial coloring matter, hence the article was adulterated within the meaning of section 7 of the act, in that a mixture of substances lacking the essential ingredient had been substituted wholly for a vanilla flavor which it purported to be, and had been artificially colored with caramel in order to conceal inferiority, and was misbranded within the meaning of section 8 of the act, in that it was labeled "Vanilla Flavor," and bore the statement that it was made from vanilla bean, which said statements were false, misleading, and deceptive, because it was not vanilla flavor and did not contain extract of vanilla bean.

It appearing from the aforesaid analysis that the article was adulterated and misbranded, the Secretary of Agriculture gave notice to Price & Kimball, the dealers from whom the sample was purchased, as well, also, as to the manufacturer and shipper, Paddock Coffee and Spice Company, and gave them an opportunity to be heard. Paddock Coffee and Spice Company being the party solely responsible for the adulteration and misbranding of the article, and failing to show any fault or error in the result of the aforesaid analysis, and it being determined that the article was adulterated and misbranded, on March 25, 1908, the said Secretary reported the facts and evidence to the Attorney-General, by whom they were referred to the United States attorney for the western district of Missouri, who filed an information against the said Paddock Coffee and Spice Company, with the result hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 10, 1910.*