

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1096.

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

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### ADULTERATION AND MISBRANDING OF FLAVORING EXTRACT.

On January 31, 1911, the United States Attorney for the Eastern District of Missouri, acting upon the report by the Secretary of Agriculture, filed information in the District Court of the United States against Edward Weston Tea & Spice Co., a corporation, St. Louis, Mo., alleging shipment by it, in violation of the Food and Drugs Act, on or about April 11, 1910, from the State of Missouri into the Territory of New Mexico of a flavoring extract which was adulterated and misbranded. The product was labeled: "Choice Vanillin Solution 74 per cent; Vanilla Extract 25 per cent; Caramel 1 per cent. Serial No. 15747. For cakes, ices, ice cream, pastry, etc. Put up for L. B. Putney, Albuquerque, N. M."

Analysis of the product by the Bureau of Chemistry, United States Department of Agriculture, showed it to be a liquid preparation consisting of alcohol 18.20 per cent, solids 16.10 per cent, vanillin 0.240 per cent, and a trace of resin and caramel. The information, therefore, alleged adulteration of the product in that the vanilla extract content was less than 25 per cent, and this reduced and lowered and injuriously affected the quality and strength of the article; and further, in that the article was mixed with, and colored by, a certain coloring matter called caramel in such a manner that the inferiority of the article was concealed. Misbranding was alleged in the information in that the statement on the label "Vanilla Extract 25 per cent" was false and misleading and calculated to deceive the purchaser, because the analysis showed the product to contain less than 25 per cent of that ingredient.

On June 1, 1911, the defendant pleaded guilty and was fined \$25 on each count, totaling \$50, and costs.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *August 28, 1911.*

