

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1150.

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

ADULTERATION AND MISBRANDING OF VANILLA EXTRACT.

On March 25, 1911, the United States Attorney for the District of New Jersey, acting upon the report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of one 5-gallon package of a product purporting to be vanilla extract in the possession of John K. Psychos.

Analysis of samples of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Vanillin 0.80 per cent, coumarin 0.10 per cent, caramel present. The container was labeled: "XXXX Vanilla." The libel alleged that the said product, after shipment by the Manhattan Importing Co., of Cleveland, Ohio, from Ohio into New Jersey, remained in the original unbroken package and was adulterated and misbranded in violation of the Food and Drugs Act of June 30, 1906, and was, therefore, liable to seizure for confiscation. Adulteration was alleged for the reasons that the substance was not pure vanilla extract but was a product containing vanillin and coumarin, which had been mixed and packed with and substituted for vanilla extract in such a manner as to reduce and lower and injuriously affect its quality and strength, and because the product was colored with caramel for the purpose of concealing its inferiority. Misbranding was alleged because the product was sold under the distinctive name of another article, to wit, vanilla, when in fact it was not vanilla, and the statement on the label was therefore false and misleading.

On April 20, 1911, the court found the said product to be adulterated and misbranded, as alleged in the libel, and that the United States was entitled to a decree of condemnation, as prayed for, and entered a decree condemning and forfeiting the goods to the United States and ordering their destruction by the marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 29, 1911.*