

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1317.

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

ADULTERATION AND MISBRANDING OF COFFEE.

On July 1, 1910, the United States Attorney for the Eastern District of Virginia, acting upon a 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 six bales of coffee in the possession of the Aragon Coffee Co., Richmond, Va. The coffee was packed in double bales which in style and appearance were similar to the containers in which Mocha coffee is received in importations from Arabia. The containers bore no labels except the brand "W Waldorf" and the goods were invoiced as "W 10 Mocha".

Examination of a sample of said coffee by the Bureau of Chemistry of the United States Department of Agriculture showed the coffee to consist of a mixture of Mocha and Bourbon Santos, indicating that the latter had been mixed and substituted for the Mocha. The libel alleged that the coffee, after shipment by W. H. Force & Co. and Mitchell Bros., of New York City, from the State of New York into the State of Virginia, remained in the original unbroken packages, 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 reason that the coffee consisted of a mixture of Mocha and Bourbon Santos, the latter substance having been mixed and packed with the said Mocha coffee so as to reduce and lower and injuriously affect its quality and strength, and said Bourbon Santos had been substituted in part for the said Mocha coffee. Misbranding was alleged for the reason that the said coffee was an imitation of Mocha coffee and the package did not contain Mocha coffee but a mixture of Mocha and Bourbon Santos, and for the further reason that it was offered for sale and sold under the distinctive name of another article, to wit, Mocha coffee, when in fact it was not such but a mixture of Mocha and Bourbon Santos.

On October 12, 1910, the case coming on for hearing, the court found the product adulterated and misbranded as alleged in the libel and entered a decree condemning and forfeiting it to the United States and ordering it to be sold at public auction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 23, 1912.*