

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1447.

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

ADULTERATION AND MISBRANDING OF VANILLA FLAVOR.

On March 25, 1911, the United States Attorney for the District of New Jersey, acting upon a report from the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of one ten-gallon package of vanilla flavor in the possession of John K. Psichos, Newark, N. J. The product was labeled "XXXX Vanilla Flavor" and was invoiced as "XXXX Vanilla Spec. Flavor."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

Specific gravity.....	1.047
Alcohol (per cent by volume).....	13.1
Methyl alcohol.....	Absent.
Vanillin (per cent)	0.36
Coumarin (per cent).....	0.05
Natural color.....	Present.
No artificial coloring matter detected.	

The libel alleged that the product, after shipment by William Haigh Co., of Baltimore, Md., from the State of Maryland into the State of New Jersey, 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 and misbranding were alleged in the libel as follows: "That the said package containing said vanilla flavor bore the statement and device "XXXX Vanilla Flavor" regarding the substance contained in said package, which statement and device were then false and misleading in that they indicated that said substance was a pure vanilla extract, whereas in fact said substance was not pure vanilla extract but was a product containing vanillin and coumarin, which were mixed and packed with and substituted for vanilla extract so as to reduce and lower and injuriously affect the quality and strength of the so-called vanilla flavor

whereby and by reason whereof the said alleged vanilla flavor was misbranded and adulterated within the meaning of the Act aforesaid. Your libelant represents that the said alleged vanilla extract particularly described as aforesaid was intended for consumption as food, and that said article of food, to wit, alleged vanilla extract aforesaid, was adulterated and misbranded, and the said brands were intended and calculated to deceive and mislead the purchaser thereof.

On October 25, 1911, the case coming on for trial 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 its destruction by the marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *April 6, 1912.*