

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2308.

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

ADULTERATION AND MISBRANDING OF SO-CALLED NON-ALCOHOLIC VANILLA.

On July 6, 1912, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Non-Alcoholic Extract Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 26, 1911, from the State of Missouri into the State of Oklahoma, of a quantity of so-called non-alcoholic vanilla which was adulterated and misbranded. The product was labeled: "Non-Alcoholic Vanilla Manufactured by Non-Alcoholic Extract Co., St. Louis, Mo.," "Contains Glycerine Guaranteed by Non-Alcoholic Extract Co., under the Food and Drugs Act, June 30, 1906. Serial No. 39088."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Alcohol (per cent by volume), 2.75; iodoform test, positive; vanillin, 0.09 per cent; coumarin, absent; prune juice, absent; lead number, 0.19. Adulteration of the product was alleged in the information for the reason that it was labeled "Non-Alcoholic Vanilla," and a dilute non-alcoholic vanilla had been mixed and packed with the product in such a manner as to reduce, lower, and injuriously affect its quality and strength, and further in that the product was labeled "Non-Alcoholic Vanilla," and a dilute non-alcoholic vanilla had been substituted wholly or in large part for the genuine article. Misbranding was alleged for the reason that the statement "Non-Alcoholic Vanilla" borne upon the label of the product was false and misleading because it would mislead and deceive the purchaser into believing that the product was a non-alcoholic preparation of vanilla, whereas in fact it was a dilute non-

alcoholic preparation of vanilla, and said product was further misbranded because it was labeled and branded so as to mislead and deceive the purchaser, in that the words "Non-Alcoholic Vanilla" borne upon the label purported and led the purchaser thereof to believe that the product was a non-alcoholic preparation of vanilla, whereas, in truth and in fact, it was a dilute non-alcoholic preparation of vanilla.

On November 29, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$20 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *February 4, 1913.*

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