

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2470.

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

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**U. S. v. Sethness Co. Plea of guilty. Fine, \$100 and costs.**

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### ADULTERATION OF CONCENTRATED PEACH FLAVOR, STRAWBERRY OIL, PINEAPPLE OIL, AND BANANA OIL.

On January 26, 1912, the United States Attorney for the Northern District of Illinois, 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 Sethness Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on April 13, 1910, from the State of Illinois into the State of Texas—

(1) Of a quantity of concentrated peach flavor which was adulterated. The product was labeled: "Peach Concentrated. Non-pareil Brand. Sethness Company, Chicago."

Analysis of a sample of this product by the Bureau of Chemistry of this Department showed the following results: Non-volatile matter (grams per 100 cc), 0.23; volatile acids as acetic (grams per 100 cc), 0.12; volatile esters as ethyl acetate (grams per 100 cc), 0.53; specific gravity (15.6° C./15.6° C.), 0.9157; alcohol (per cent by volume calculated from specific gravity), 59.1; vanillin (grams per 100 cc), 1.42; vanillin (qualitative test), present; color, Amaranth and Naphthol Yellow S.; odor, ethereal, and unlike peach. Adulteration of the product was alleged in the information for the reason that a certain substance, to wit, an imitation peach extract, consisting of a dilute solution of alcohol and vanillin and a non-volatile matter colored with coal-tar dyes, which said substance, to wit, the imitation peach extract, had been substituted in whole for concentrated peach extract, and the product was an article inferior to the genuine concentrated peach extract and was colored with coal-tar dyes known as Amaranth and Naphthol Yellow S in a manner whereby its inferiority was concealed.

(2) Of a quantity of strawberry oil which was adulterated. This product was labeled: "Strawberry Oil. Non-pareil Brand. Sethness Company, Chicago."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Non-volatile matter

(grams per 100 cc), 0.60; volatile acids as acetic (grams per 100 cc), 0.06; volatile esters as ethyl acetate (grams per 100 cc), 61.0; specific gravity (15.6° C./15.6° C.), 0.8803; color, nonfluorescent, oil and spirit soluble red; odor, strong ethereal, suggests ethyl acetate, and amyl acetate, entirely unlike strawberry. Adulteration of the product was alleged in the information for the reason that a liquid preparation, to wit, an imitation strawberry oil, synthetically prepared, containing no strawberries and no oil of strawberries, had been substituted wholly for the article of food, to wit, strawberry oil.

(3) Of a quantity of pineapple oil which was adulterated. This product was labeled: "Pineapple Oil. Non-pareil Brand. Sethness Company, Chicago."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Non-volatile matter (grams per 100 cc), 0.01; volatile acids as acetic (grams per 100 cc), 0.03; volatile esters as ethyl acetate (grams per 100 cc), 61.4; specific gravity (15.6° C./15.6° C.), 0.8762; colorless; odor, strong ethereal, rather suffocating, suggests amyl acetate, entirely unlike pineapple. Adulteration of the product was alleged in the information for the reason that a liquid preparation, to wit, an imitation pineapple oil, synthetically prepared and containing no pineapples and no oil of pineapple, had been substituted wholly for the product, to wit, pineapple oil.

(4) Of a quantity of banana oil which was adulterated. This product was labeled: "Banana Oil. Non-pareil Brand. Sethness Company, Chicago."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Non-volatile matter (grams per 100 cc), 0.02; volatile acids as acetic (grams per 100 cc), 0.54; volatile esters as ethyl acetate (grams per 100 cc), 47.4; specific gravity (15.6° C./15.6° C.), 0.8700; colorless; odor, strong ethereal, suggests amyl acetate and amyl alcohol. Adulteration of the product was alleged in the information for the reason that a liquid preparation, to wit, an imitation banana oil, synthetically prepared and containing no bananas and no oil of bananas, had been wholly substituted for the article, to wit, banana oil.

On February 21, 1913, the defendant company withdrew its former plea of not guilty and entered a plea of guilty and the court imposed a fine of \$100 and costs.

B. T. GALLOWAY,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 28, 1913.*