

alleging that the product had been shipped on or about January 19, 1914, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding, in violation of the Food and Drugs Act. The product was labeled: "Guaranteed—Ajax Chemical Company, manufacturers of Vanilla Flavor Colored—Under the Food & Drugs Act, June 30, 1906. Serial No. 53614. Extracts, colors, flavors and oils for confectioners and bakers, 82 Fulton Street, Brooklyn, N. Y."

It was alleged in the libel that the product purported to be a vanilla flavor, whereas, in truth and in fact, it was not pure vanilla flavor and was adulterated within the meaning of the act aforesaid, in that a substance, to wit, coumarin, had been mixed and packed with the product so as to reduce and lower and injuriously affect the quality and strength thereof; and for the further reason that a substance, to wit, coumarin, had been substituted wholly or in part for vanilla flavor; and for the further reason that the product had been mixed and colored in a manner whereby damage and inferiority were concealed.

It was further alleged in the libel that the container of the product was labeled "Vanilla Flavor Colored," and thus purported to be pure vanilla flavor, and was therefore misbranded within the meaning of the act aforesaid, in that said product contained coumarin and was therefore not pure vanilla flavor and was an imitation of pure vanilla flavor, and was offered for sale under the distinctive name of an article other than what it really was. Misbranding was alleged for the further reason that the product was labeled or branded so as to deceive and mislead the purchaser.

On March 10, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

**3383. Adulteration and misbranding of vinegar. U. S. v. The Ohio Cider Vinegar Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 5565. I. S. No. 7356-e.)**

On March 24, 1914, the United States attorney for the Southern District of Ohio, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ohio Cider Vinegar Co., a corporation, Cincinnati, Ohio, alleging shipment by said company in violation of the Food and Drugs Act, on or about January 22, 1913, from the State of Ohio into the State of Indiana, of a quantity of vinegar which was adulterated and misbranded. The product was labeled: "CO-BA Brand Fermented Apple Vinegar Apple Product Cincinnati."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (grams per 100 cc)-----	0. 27
Glycerol (grams per 100 cc)-----	0. 09
Solids (grams per 100 cc)-----	2. 08
Nonsugar solids (grams per 100 cc)-----	1. 05
Reducing sugar after evaporation (grams per 100 cc)-----	1. 03
Sugar in solids (per cent)-----	49. 51
Polarization (°V.)-----	-2. 6
Ash (grams per 100 cc)-----	0. 27
Alkalinity soluble ash (cc N/10 acid per 100 cc)-----	16. 8
Total phosphoric acid (mg per 100 cc)-----	8. 4
Acid as acetic (grams per 100 cc)-----	3. 53
Ash in nonsugar solids (per cent)-----	25. 7

The analysis shows this product to be a mixture of cider vinegar, with a dilute solution of acetic acid, or distilled vinegar, with foreign mineral matter, and with a substance high in reducing sugar.

Adulteration of the product was alleged in the information for the reason that a substance other than fermented apple vinegar, that is to say, a substance composed wholly or in part of distilled vinegar or dilute acetic acid, and a product high in reducing sugars had been substituted wholly or in part for fermented apple vinegar which the article was represented by its label to be, and for the further reason that a substance, namely, water, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength. Misbranding was alleged for the reason that the statement "Fermented Apple Vinegar Apple Product," borne on the packages in which said article was shipped and delivered for shipment, as aforesaid, was false and misleading because said statement was calculated to deceive and mislead purchasers into the belief that said article was composed wholly of fermented cider made from apples, whereas, in truth and in fact, said article was not composed wholly of fermented cider made from apples, but was an article consisting in whole, or in part, of distilled vinegar or dilute acetic acid, and a product high in reducing sugars.

On April 2, 1914, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$50 and costs of \$15.20.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

**3384. Adulteration and misbranding of jelly. U. S. v. 150 Cases of So-Called Grape Jelly. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5570. I. S. No. 4370-h. S. No. 2104.)**

On February 2, 1914, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases, each containing 2 dozen glasses of a product purporting to be grape jelly, remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the product had been shipped on or about October 20, 1913, by the Quaker City Pure Fruit & Sugar Preserve Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "2 Doz. No. 10 Tumblers. Mrs. Williams Brand Pure Grape Jellies. Quaker City Pure Fruit and Sugar Preserve Co., Philadelphia." (On glasses): "Mrs Williams Brand Pure Grape Jelly. 9 oz. Made by Quaker City Pure Fruit and Sugar Preserve Co., Philadelphia, Pa."

It was alleged in the libel that the product purported to be pure grape jelly, whereas, in truth and in fact, it was not pure grape jelly, and was adulterated within the meaning of the act aforesaid in that: (1) A substance, to wit, an apple product, had been mixed and packed with the so-called grape jelly so as to reduce and lower and injuriously affect the quality and strength thereof. (2) A substance, to wit, an apple product, had been substituted wholly or in part for pure grape jelly. (3) The product had been mixed in a manner whereby damage and inferiority were concealed.

It was further alleged in the libel that each of said cases and each package in said cases were labeled "Pure Grape Jelly," whereas, in truth and in fact, the product was not a pure grape jelly and was therefore misbranded within the