

**4657. Adulteration and misbranding of "Duffy's Grape Juice." U. S. * * *
v. Vineland Grape Juice Co., a corporation. Plea of guilty. Fine, \$25.
(F. & D. No. 7038. I. S. No. 1421-k.)**

On February 25, 1916, 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 an information against the Vineland Grape Juice Co., a corporation, Vineland, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 3, 1914, from the State of New Jersey into the State of New York, of a quantity of "Duffy's Grape Juice," which was adulterated and misbranded. The article was labeled: (Retail package) "Duffy's Grape Juice Sterilized 32 Oz." (Representation of a bunch of grapes) "Non-Alcoholic Duffy's 1842 Unfermented American Fruit Product Co. Rochester, N. Y. U. S. A." (Shipping package) "Duffy's Grape Juice Nonalcoholic American Fruit Product Co. Rochester, N. Y. U. S. A. Glass 12 Quarts 11629 8-5-2-."

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

Specific gravity at 20° C/20° C	1.0815
Alcohol (per cent by volume)	0.24
Extract (grams per 700 cc)	21.31
Nonsugar solids (grams per 100 cc)	2.31
Reducing sugar, as invert (grams per 100 cc)	18.99
Sucrose, by copper and Clerget	Absent.
Total acidity, as tartaric (gram per 100 cc)	0.79
Ash (gram per 100 cc)	0.26
Total tartaric acid (gram per 100 cc)	0.47
Free tartaric acid (gram per 100 cc)	0.16
Cream of tartar (gram per 100 cc)	0.31
Tartaric acid to alkaline earths (gram per 100 cc)	0.06
Soluble alkalinity of ash (cc N/10 acid per 100 cc)	16.6
Insoluble alkalinity of ash (cc N/10 acid per 100 cc)	4.0
Polarization direct at 20° C, undiluted (°V.)	-32.0
Polarization invert at 20° C, undiluted (°V.)	-32.0

From the analysis, taste, and appearance it is deduced that this product is a Concord grape juice to which water and sugar have been added.

Adulteration of the article was alleged in the information for the reason that water and sugar had been substituted in part for pure, unaltered grape juice, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "American Fruit Product Co. Rochester, N. Y. U. S. A.," was false and misleading in that it indicated to purchasers thereof that the article had been manufactured by the American Fruit Product Co., at Rochester, N. Y., United States of America, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it had been manufactured by the American Fruit Product Co., at Rochester, N. Y., United States of America, when, in truth and in fact, it had not, but had been manufactured by, to wit, the Vineland Grape Juice Co., at Vineland, N. J., United States of America. Misbranding was alleged for the further reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Duffy's Grape Juice * * * Non-Alcoholic * * * Unfer-

mented * * *," was false and misleading in that it indicated to purchasers thereof that the article was pure, unaltered grape juice, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure, unaltered grape juice, when, in truth and in fact, it was not, but was, to wit, grape juice containing added water and sugar.

On March 20, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*