

5971. Adulteration and misbranding of brandy. U. S. * * * v. The Turner-Looker Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8314. I. S. No. 11384-m.)

On July 20, 1917, the United States attorney for the Southern District of Ohio, 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 Turner-Looker Co., a corporation, Cincinnati, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1917, from the State of Ohio into the State of Indiana, of a quantity of an article labeled in part, "Trester Brandy," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this Department showed the following results, expressed, unless otherwise stated, in grams per 100 liters, 100 proof:

Alcohol (per cent by volume).....	40.2
Proof (degrees).....	80.4
Acids, total, as acetic.....	6.7
Esters, as acetic.....	50.4
Aldehydes, as acetic.....	19.9
Fusel oil.....	29.8
Caramel: Negative.	

The above analysis shows the product to be a mixture of neutral spirits and brandy.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, neutral spirits, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in part for Trester brandy, which the article purported to be. Misbranding of the article was alleged in substance for the reason that the statement, "Trester Brandy," borne on the label thereof, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted entirely of Trester brandy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted entirely of Trester brandy, whereas, in truth and in fact, it did not, but consisted in large part of neutral spirits, and this misleading impression was not corrected by the statement on the reverse head of the keg, "Brandy A. Compound."

On January 28, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*