

Waples-Platter Grocery Company at Fort Worth, Tex., on or about December 15, 1908. The sample was analyzed in the Bureau of Chemistry of the United States Department of Agriculture, and the following results obtained and stated:

Alcohol, by volume (per cent)-----	25.64
Alcohol, methyl-----	None.
Vanillin (per cent)-----	0.23
Coumarin -----	None.
Resins -----	None.
Solids (per cent)-----	37.2
Sucrose (Clerget) (per cent)-----	35.3

Vanilla extract, or flavor, as recognized by reliable manufacturers and dealers, is the flavoring extract prepared from vanilla bean and contains the soluble matters from not less than 10 grams of the vanilla bean to each 100 cc. The analysis of the aforesaid sample disclosed that it was not a genuine vanilla extract, but a solution of artificial vanillin; hence it was adulterated, within the meaning of section 7 of the act, in that artificial vanillin had been substituted in part for extract of vanilla bean, thereby reducing and lowering its quality and strength, and misbranded, within the meaning of section 8 of the act, in that the statements on the labels that it was vanilla and a pure product were false, misleading, and deceptive.

It appearing from the aforesaid analysis that the article was adulterated and misbranded, the Secretary of Agriculture gave notice to Waples-Platter Grocery Company, the dealers from whom the sample was procured, as well also as to the manufacturer and shipper, Interstate Chemical Company, and gave them an opportunity to be heard. Interstate Chemical Company being the party solely responsible for the adulteration and misbranding of the article and failing to show any fault or error in the result of the aforesaid analysis, and it being determined that the article was adulterated and misbranded, on August 28, 1909, the said Secretary reported the facts and evidence (F. & D. No. 822) to the Attorney-General, by whom they were referred to the United States attorney for the district of Maryland, who filed an information against the said Interstate Chemical Company, with the result hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 10, 1910.*

(N. J. 140.)

MISBRANDING OF VANILLA EXTRACT.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 29th

day of May, 1909, in the district court of the United States for the northern district of Ohio, in a prosecution by the United States against the John H. Fitch Company, a corporation of Youngstown, Ohio, for violation of section 2 of the aforesaid act in shipping and delivering for shipment from Ohio to Pennsylvania an article of food labeled and branded: "Baldwin's Superior Fruit Extracts, Highly Concentrated, Vanilla. Manufactured by the John H. Fitch Company, Youngstown, Ohio. Prepared at the Laboratories of Baldwin, Halcomb & Company," which was misbranded within the meaning of section 8 of the act in that it was not a highly concentrated but only a normal extract of vanilla, and was not prepared at the laboratories of Baldwin, Halcomb & Co., but by the said John H. Fitch Company at Youngstown, Ohio, the said defendant having entered a plea of guilty, the court imposed upon it a fine of \$25 and costs.

The facts in the case were as follows:

On December 18, 1907, an inspector of the Department of Agriculture purchased from Nicholas Stroup, Sharon, Pa., a sample of an extract (I. S. No. 11924) labeled as above stated. This sample was part of a shipment by the John H. Fitch Company from Youngstown, Ohio, to the said Nicholas Stroup, on or about November 19, 1907. The sample was analyzed in the Bureau of Chemistry of the United States Department of Agriculture and the following results obtained and stated:

Vanillin (grams per 100 cc.)	0.112
Coumarin	Absent.
Caramel	Present.
Resins	Fair amount present; no ppt. on addition of water, but showed on addition of HCl. Action of resins normal.
Sucrose (Clerget)	5.4

The analysis of this sample disclosed that it was only a normal vanilla extract, and it was ascertained that it was prepared and manufactured by the John H. Fitch Company; hence it was misbranded within the meaning of section 8 of the act in that the statements and representations on the label that it was a highly concentrated extract and prepared at the laboratories of Baldwin, Halcomb & Co. were false, misleading, and deceptive.

It appearing from the aforesaid analysis that the article was misbranded, the Secretary of Agriculture gave notice to Nicholas Stroup, the dealer from whom the sample was procured, as well also as to the manufacturer and shipper, John H. Fitch Company, and gave them an opportunity to be heard. John H. Fitch Company being the party solely responsible for the misbranding of the article, and

failing to show any fault or error in the result of the aforesaid analysis and it being determined that the article was misbranded, on March 20, 1909, the said Secretary reported the facts and evidence (F. & D. No. 515) to the Attorney-General, by whom they were referred to the United States attorney for the northern district of Ohio, who filed an information against the said John H. Fitch Company, with the result hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 10, 1910.*

