

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 889, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VANILLA EXTRACT.

On or about June 8, 1910, G. H. Lowell, doing business as G. H. Lowell & Co., New York City, shipped from the State of New York into the State of Iowa a consignment of a food product labeled: "Solid Gold—Prime selected beans, Pure Vanilla Extract. Refined—XXXX Quality. Guaranteed by us under the Pure Food Laws, Certificate No. 5047. G. H. Lowell & Co., 321 Greenwich St., New York." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and it was found to contain vanillin 0.51 per cent, alcohol by volume 26.78 per cent, and coumarin 0.015 per cent. As the findings of the analyst and report thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said G. H. Lowell and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the above shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

On February 20, 1911, a criminal information was filed in the Circuit Court of the United States for the Southern District of New York against the said G. H. Lowell, charging the above shipment, and alleging the product so shipped to be adulterated, in that artificial vanillin had been substituted in part for the article "Pure Vanilla Extract", and alleging the product to be misbranded, in that it was labeled as above set forth so as to mislead and deceive purchasers thereof, because it was not a "Pure Vanilla Extract", as represented by said label, but a mixture of vanilla extract and a solution of artificial vanillin. Upon arraignment the defendant entered a plea of guilty to the above information, and the court suspended sentence.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *May 17, 1911.*

