

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1099.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF FLAVORING EXTRACT.

At the May term of court, 1910, the United States Attorney for the Eastern District of Missouri, acting upon the report by the Secretary of Agriculture, filed information in the District Court of the United States against the St. Louis Coffee & Spice Mills, a corporation, of St. Louis, Mo., alleging shipment by it, in violation of the Food and Drugs Act, on or about November 8, 1909, from the State of Missouri into the State of Kansas of a quantity of a flavoring extract which was misbranded. The product was labeled: "Nectar Brand Purity Strength Flavor. Vanilla, Vanillin, Coumarin, Sugar Color St. Louis Coffee & Spice Mills, St. Louis, Mo."

Analysis by the Bureau of Chemistry of this Department showed the product to contain no extract derived from the vanilla bean in any appreciable quantity, but that it was a highly dilute alcoholic solution of vanillin and coumarin, containing also sugar and caramel. Misbranding was alleged in the information in that the use of the word "Vanilla" upon the label of the product was false and misleading and calculated to deceive the purchaser into the belief that the article contained an extract derived from the vanilla bean; and further, in that the article was an imitation of and was offered for sale under the distinctive name of a product containing among other ingredients extract of vanilla.

On May 2, 1911, the defendant pleaded nolo contendere and was fined \$5 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., August 29, 1911.

