

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1353.

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

ADULTERATION AND MISBRANDING OF JAMAICA GINGER EXTRACT.

On April 28, 1911, the grand jurors of the United States, in and for the Western District of Missouri, upon presentation of the United States Attorney for said district, acting upon a report of the Secretary of Agriculture, returned to the District Court of the United States for said district an indictment against the S. Hirsch Distilling Co., doing business under the name of Minuet Cordial Co., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 1, 1910, from the State of Missouri into the State of Illinois of a quantity of Jamaica ginger which was adulterated and misbranded. The product was labeled: (On case) "Ginger Extract 24 pts. 23902, H. Dirden Liq. Co., 400 E. Broadway, E. St. Louis, Ill." (On bottle) "Jamaica Ginger Extract, Prepared from Finest Ginger Root. Guaranty Legend, Ser. No. 5897."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Alcohol (per cent by volume)-----	45.48
Total solids (by vacuum over sulphuric acid) (grams per 100 cc)-----	.99
Residue from ether extraction of diluted extract (grams per 100 cc)-----	.158
Volatile ether extract (grams per 100 cc)-----	.063
Non-volatile ether extract (grams per 100 cc)-----	.095

The indictment alleged adulteration of said product in that there was mixed, packed, and mingled therewith a certain substance, to wit, a dilute extract of ginger, thereby reducing, lowering, and injuriously affecting the quality and strength of the contents of said packages, and substituted for genuine ginger extract, as commercially known, an adulterated compound containing only a dilute and very weak hardly perceptible extract of ginger, thus damaging and injuriously affecting said product as food for human consumption,

and that said contents of said packages were artificially colored in a manner whereby the damaged condition and inferiority thereof were concealed. The information alleged misbranding in that the said product was offered for sale and sold as and for the genuine Jamaica ginger extract, as the same is commercially known, under the distinctive name of another article, that is to say, that while the article contained in said packages was not a genuine Jamaica ginger extract, as same is commercially known, but was a weak, adulterated extract of ginger, in which ginger was scarcely perceptible, and which was artificially colored for the purpose of concealing said weak and adulterated condition, yet the same was offered for sale and sold as and for a genuine Jamaica ginger extract, as the same is commercially known. Misbranding was further charged in that the label and brand were false and misleading in this, that said labels state and imply that the contents of said bottle was genuine Jamaica ginger extract, as same is commercially known, whereas in fact said bottles contained but a very weak, diluted and adulterated ginger extract.

On November 11, 1911, the defendant pleaded guilty and was fined \$50 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 29, 1912.*

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