

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1500.

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

MISBRANDING OF CLEARO.

On January 26, 1912, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles F. Ogren, doing business as Clearo Manufacturing & Bottling Works, Chicago, Ill., alleging shipment by him, in violation of the Food and Drugs Act, on or about January 17, 1911, from the State of Illinois into the State of Indiana of a consignment of ten casks packed with bottles of Clearo, a beverage in liquid form, used for food. The product was labeled: "Guaranteed under the Pure Food and Drugs Act, June 30th, 1906. Sold in all Temperance Communities. Clearo. Trade Mark. A pure Food and Health Beverage. Non-Intoxicating Refreshing and Delicious. Sole Distributors U. S. and Canada Clearo Manufacturing and Bottling Works, Chicago, Illinois."

Examination by the Bureau of Chemistry of this Department showed the following results: Solids (grams per 100 cc), 4.84; alcohol (per cent by volume), 2.52; methyl alcohol, none; alcohol, qualitative test, positive; turbid, light color, much effervescence; taste, malt liquor. Misbranding was alleged in the information for the reason that the label was false and misleading in that it purported to state that the product was a non-intoxicating beverage, whereas as a matter of fact it contained a large amount of alcohol, to wit, 3 per cent by volume, which rendered it an intoxicating beverage.

On February 17, 1912, defendant entered a plea of guilty and the court imposed a fine of \$200 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *April 27, 1912.*