

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1764.

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

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### ADULTERATION AND MISBRANDING OF SO-CALLED VANILLA EXTRACT.

On January 31, 1912, the United States Attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one barrel, purporting and represented to be vanilla extract, remaining unsold in the original unbroken package and in possession of the Johnstown Sanitary Dairy Co., Johnstown, Pa., alleging that the product had been shipped on or about May 15, 1911, by the National Extract Works, of New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled, in part: "Extract Vanilla XXX Best Concentrated National Extract Works Importers and manufacturers Works and Laboratory Brooklyn, N. Y. Office 70 Warren st. N. Y." and on bottom of barrel: "Penn. R. R. Johnstown San. Dairy Co. Johnstown, Pa. 311 12692."

Adulteration was alleged in the libel for the reason that a dilute extract of vanilla reinforced with artificial vanillin had been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality and strength and had been substituted for it, and also artificially colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that the product was labeled "Vanilla Extract x x x Best Concentrated," when, in fact, it consisted fully or in part of dilute extract of vanilla artificially reinforced and the whole artificially colored. It was further alleged that the sale thereof would deceive the purchaser in violation of said act of Congress.

On March 12, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., August 21, 1912.

