

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2137.

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

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### ADULTERATION AND MISBRANDING OF BLACKBERRY CORDIAL.

On June 12, 1912, the United States Attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against K. Gottstein, J. L. Gottstein, A. Bastheim, and F. V. Fisher, copartners, doing business as M. & K. Gottstein, Seattle, Wash., alleging the shipment by them, in violation of the Food and Drugs Act, on or about November 14, 1910, from the State of Washington into the Territory of Alaska of a quantity of blackberry cordial which was adulterated and misbranded. The product was labeled: "Fine Old Blackberry Cordial."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Tartaric acid, total, 0.165; color, fruit and also fast red C (S. & J. 103); no salicylic or benzoic acid detected; no saccharin detected; decidedly spicy flavor; specific gravity 17.5°, 1.0705; alcohol, per cent volume, 22.74; glycerol, 0.296; solids, 23.20 per cent; nonsugar solids, 0.24 per cent; sucrose by Clerget, 0.6 per cent; reducing sugar invert before inversion, 22.36 per cent; polarization direct temperature 20° C., -7.4°; polarization invert temperature 20° C., -8.2°; ash, 0.124 per cent. Adulteration of the product was alleged in the information for the reason that a substance, to wit, an imitation blackberry cordial, prepared from wine and artificially colored, was mixed and packed therewith in such a manner as to reduce and injuriously affect its quality and strength, and further in that a substance, to wit, an imitation blackberry cordial prepared from wine and artificially colored, had been substituted in part for the genuine article, and further that the product was colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that the product was so labeled and branded as to deceive and mislead, being labeled "Blackberry Cordial," thereby purporting to be blackberry

cordial, whereas, in truth and in fact, it was an imitation blackberry cordial, prepared from wine.

On June 15, 1912, a plea of guilty was entered in behalf of the defendants and the court imposed a fine of \$25, with costs of \$26.42.

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

WASHINGTON, D. C., *December 21, 1912.*

