

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2194.

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

ADULTERATION AND MISBRANDING OF VANILLA EXTRACT.

On November 4, 1912, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ferris-Noeth-Stern Co. (Inc.), Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on August 1, 1911, from the State of Maryland into the State of Virginia of a quantity of vanilla extract which was adulterated and misbranded. The product was labeled: "Extract Vanilla No. 2, Bakers. Artificially Colored. Ferris-Noeth-Stern Co. Manufacturing Chemists and Jobbers in Bakers', Confectioners' and Bottlers' Supplies, No. 219 West Pratt Street, Baltimore, Md."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Vanillin, 0.15 per cent; coumarin, 0.13 per cent; iodine test, positive; lead number at 44°, 0.09; caramel, present. Adulteration of the product was alleged in the information for the reason that a certain substance, to wit, an imitation extract of vanilla, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength and for the further reason that said product was colored in a manner whereby inferiority was concealed, to wit, by the use of caramel. Misbranding was alleged for the reason that the label on the product bore a statement in substance and to the effect that the product was extract of vanilla, which said statement was false and misleading in that the product was not a genuine extract of vanilla, conforming to the commercial standard of such article, but was an imitation extract of vanilla. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Extract Vanilla," whereas in truth and in fact it was not extract of vanilla but was an imitation extract of vanilla.

On November 4, 1912, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$5.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 10, 1913.*