

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2239.

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

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### ADULTERATION AND MISBRANDING OF HONEY GIN AND ORANGE.

On November 9, 1912, the United States Attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District court of the United States for said district an information against Joseph C. Furst and Samuel Furst, copartners, trading and doing business under and by the firm name of Furst Bros., Cincinnati, Ohio, alleging shipment by them, in violation of the Food and Drugs Act, on June 2, 1911, from the State of Ohio into the State of Massachusetts of a quantity of "Honey Gin and Orange" which was adulterated and misbranded. The product was labeled: "Honey — Gin — Orange. Delicious, fragrant and stimulating. Furst's original sweet clover honey-gin and orange (Picture of bee hive and an orange). Contains no flavors. Absolutely pure and unadulterated. Guaranteed by us to conform to the National Pure Food Law. Guaranty Serial No. 12141. Bottled exclusively by Furst Bros., Cincinnati, Ohio, U. S. A." (Label on neck of bottle) "Caution: We are the original bottlers of honey, gin and orange in its purest form. It is a compound of the rarest excellence, and contains absolutely no flavors. The natural medicinal quality of honey, gin and orange, in case of a cold, cough, grippe, etc., is unsurpassed, and there is no more healthful stimulant. Its delicious flavor makes it most palatable as a beverage. Ask for free booklet, containing recipe and directions for making and serving palatable mixed drinks from honey, gin and orange."

Analysis of samples of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 25° C., 1.0237; solids (grams per 100 cc), 14.65; ash (grams per 100 cc), 0.0150; alcohol, 23.40 per cent. A more complete analysis made by another analyst gave the following results: Polarization direct at 20° C., -1.56° V.; polarization invert at 20° C., -3.90° V.; polarization invert at 87° C., +0.20° V.; sucrose Clerget (per cent by weight), 1.76; reducing sugar as invert (per cent by weight),

11.89; total reducing sugars (per cent by weight), 13.86; sucrose by copper reduction (per cent by weight), 1.87. Adulteration of the product was alleged in the information for the reason that a certain substance, to wit, sugar syrup, had been substituted in part for what the product by its label and brand purported to be, that is to say, said sugar syrup was substituted in part for the honey which the product purported to contain. Misbranding was alleged for the reason that the label and brand on the product bore a statement regarding it and the ingredients and substances contained therein, which said statement, to wit, "Honey Gin and Orange," was false, misleading, and deceptive, in that it purported and represented the product to be composed wholly of honey, gin, and orange, whereas, in truth and in fact, it was not composed wholly of honey, gin, and orange, but contained in addition to said ingredients a quantity of sugar syrup which was substituted in part for the honey which the product purported to be composed of. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser thereof, in that said label was calculated to convey the impression that the product was composed wholly of honey, gin, and orange, whereas, in truth and in fact, it was not composed wholly of honey, gin, and orange, but contained in addition thereto, sugar syrup, which was substituted in part for the honey used as a sweetening agent in the said product. Misbranding was alleged for the further reason that the product contained 23.40 per cent by volume of alcohol, and each of the packages containing the product, considered as a drug, failed to bear a statement upon the labels thereon of the quantity or proportion of alcohol so contained in said drug.

On November 11, 1912, a plea of guilty was entered on behalf of defendants and the court imposed a fine of \$25, with costs of \$15.25.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 22, 1913.*

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