

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2613.

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

U. S. v. Terre Haute Brewing Co. Plea of guilty. Fine, \$100 and costs.

ADULTERATION AND MISBRANDING OF BEER.

At the November, 1912, term of the District Court of the United States for the District of Indiana the grand jurors of the United States within and for said district, acting upon a report from the Secretary of Agriculture, returned an indictment against the Terre Haute Brewing Co., a corporation, Terre Haute, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on August 6, 1912, from the State of Indiana into the State of Georgia, of a quantity of beer which was adulterated and misbranded. The product was labeled: "This beer is brewed only of the choicest malt and hops. It is absolutely pure and is warranted to keep in any climate. Terre Haute Brewing Company. Terre Haute, Ind. Guaranteed by Terre Haute Brewing Company under the Food and Drug Act, June 30, 1906. Cereal No. 19895. Velvet Beer. Terre Haute Brewing Company, Terre Haute, Indiana. This beer is our own special bottling through closed pipe line direct to the bottle."

Analysis of a sample of the product by the Bureau of Chemistry showed the following results: Alcohol (per cent by volume), 4.49; extract (per cent by weight), 6.02; extract original wort (per cent by weight), 13.20; degree fermentation, 54.39; volatile acid as acetic (grams per 100 cc), 0.008; total acid as lactic (grams per 100 cc), 0.135; maltose, 2.16 per cent; dextrin, 2.86 per cent; ash, 0.13 per cent; P₂O₅, 0.032 per cent; polarimeter, undiluted (°V.), 44.8; proteid, 0.290 per cent; color (degrees in $\frac{1}{4}$ inch cell Lovibond), 2; undetermined, 0.58 per cent. Adulteration of the product was charged in the indictment for the reason that a product brewed from hops and cereal had been substituted in part for a product brewed from hops and malt. Misbranding was charged for the reason that the statement "This beer is brewed only of the choicest malt and hops," printed and apparent on the label regarding the ingredients thereof, was false and mis-

leading in that the product was not brewed only of the choicest malt and hops, but was brewed from a hops and cereal product.

On February 25, 1913, the defendant corporation entered a plea of guilty to the indictment and the court imposed a fine \$100 and costs.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

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

2613

