

4410. Misbranding of "Alchermes di Firenze," "Liquore Garibaldi," and "Menta Glaciale" and adulteration and misbranding of "Granatina." U. S. v. Mariani Bros., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6228. I. S. Nos. 6762-h, 6763-h, 6764-h, 25926-h.)

On April 1, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mariani Bros., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, (1) on December 4, 1913, from the State of New York into the State of Pennsylvania, of quantities of "Alchermes di Firenze," "Liquore Garibaldi," and "Menta Glaciale," which were misbranded; and (2) on May 19, 1914, from the State of New York into the State of West Virginia, of a quantity of "Granatina," which was adulterated and misbranded. The "Alchermes di Firenze" was labeled: (On fancy bottle) (Main label) "Alchermes di Firenze. Qualita Extra Superiore" Picture of prince carrying a tray bearing one bottle and three glasses, castle in distance, floral scrolls, etc. (Shoulder label) Monogram "M B" (Strip label) "This bottle contains 24 fluid ounces. Artificially colored with a certified color." (On neck) "Distilleria Italiana." The "Liquore Garibaldi" was labeled: (On fancy bottle) (Main label) "Liquore Garibaldi" (picture of foreign flag in green, white, and red; picture of Garibaldi, rays, etc.) (Red, white, and green neck label.) "Guaranteed by Mariani Bros. Under The Food and Drugs Act, June 30th 1906. Mariani Bros. New York. Under Serial No. 36369." The "Menta Glaciale" was labeled: (On fancy bottle) (Main label) "Menta Glaciale" (Mountain scene probably intended to represent the Alps) "Alpina" (foreign medals) "Eccellente Bibita ricavata dalle rinomate Menta Alpine, colte alla fioritura. Viene usata pura o con acqua e si raccomanda pel suo eccezionale aroma. Igienica Digestiva Rinfrescante. Menta Glaciale Alpina." (On red, white, and green strip) "Guaranteed by Mariani Bros. Under The Food and Drugs Act, June 30th 1906. Mariani Bros. New York. Under Serial No. 36369." (On shoulder label) Monogram "M B."

Analyses of samples of these articles by the Bureau of Chemistry of this department showed the following results:

	Alchermes di Firenze.	Liquore Garibaldi.	Menta Glaciale.
Alcohol (per cent by volume).....	27.68.....	23.75.....	30.60.
Methyl alcohol.....	None.....	None.....	None.
Sucrose, by Clerget (per cent).....	26.45.....	24.50.....	24.93.
Glucose.....	None.....	None.....	None.
Artificial color.....	Amaranth.	Mixture of amaranth and caramel.	Light green S. F. yellowish and Naphthol yellow S.

Analyses of these samples indicate that they are cordials.

Misbranding of the first-named article was alleged in the information for the reason that the statements, to wit, "Alchermes di Firenze Qualita Extra Superiore" and "Distilleria Italiana," regarding the article and the ingredients and substances contained therein, together with the general style of the labels, displaying certain designs and devices distinctive to Italy, were false and misleading in that they indicated that the article was of foreign origin, and were calculated to deceive and mislead the purchaser into the belief that it was of foreign origin, to wit, an article manufactured in the Kingdom of Italy, whereas, in fact and in truth, it was of domestic origin, to wit, a product manufactured in the United States of America.