

6173. Adulteration and misbranding of whisky. U. S. * * * v. Julius Levin Co., a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 8287. I. S. No. 22136-m.)

On August 2, 1917, the United States attorney for the Northern District of California, 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 Julius Levin Co., a corporation, San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 7, 1916, from the State of California into the State of Montana, of a quantity of an article labeled in part, "Guckenheimer Pure Rye Whiskey," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per 100 liters proof spirit unless otherwise specified:

Proof at 60° F. (degrees).....	84.7
Solids.....	179.4
Acids, total, as acetic.....	9.9
Esters, as acetic.....	14.5
Aldehydes, as acetic.....	2.4
Furfural.....	.68
Fusel oil.....	18.7
Color (degrees, brewer's scale, 0.5 inch).....	10.5
Color insoluble in amyl alcohol (per cent).....	40

Paraldehyde test: Positive.

Residue on distillation shows trace of resins and odor of wood.

The product contains neutral spirits and is colored with caramel.

Adulteration of the article was alleged in the information for the reason that neutral spirits, artificially colored with caramel, had been substituted in whole or in part for pure rye whisky, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "pure rye whiskey," borne on the label attached to the bottles, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was pure rye whisky; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure rye whisky, whereas, in truth and in fact, it was not, but was neutral spirits artificially colored with caramel.

On March 30, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

CARL VROOMAN,
Acting Secretary of Agriculture.