

13370. Adulteration and misbranding of vanilla flavor. U. S. v. Parker-Browne Co. Plea of guilty. Fine, \$25. (F. & D. No. 9440. I. S. No. 17053-p.)

On December 12, 1919, the United States attorney for the Northern District of Texas, 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 Parker-Browne Co., a corporation, Fort Worth, Tex., alleging shipment by said company, in violation of the food and drugs act, on or about March 29, 1918, from the State of Texas into the State of New Mexico, of a quantity of vanilla flavor which was adulterated and misbranded. The article was labeled in part: "Our Special Brand Vanilla Flavor. A Compound Contains Added Color * * * Prepared By Parker-Browne Co. Fort Worth, Texas."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a diluted extract of vanilla containing added coumarin and vanillin and colored with caramel.

Adulteration of the article was alleged in the information for the reason that an artificially colored imitation product containing added vanillin and coumarin had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for vanilla flavor, which the said article purported to be. Adulteration was alleged for the further reason that it was an article inferior to vanilla flavor and was colored with caramel so as to simulate the appearance of vanilla flavor and in a manner whereby its inferiority to vanilla flavor was concealed.

Misbranding was alleged for the reason that the statement, to wit, "Vanilla Flavor," borne on the label attached to the keg containing the article, was false and misleading, in that the said statement represented that the article was vanilla flavor, 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 vanilla flavor, whereas, in truth and in fact, it was not vanilla flavor but was a product composed of an artificially colored imitation product containing added vanillin and coumarin.

On April 11, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13371. Adulteration and misbranding of mineral water. U. S. v. William T. Sims. Plea of guilty. Fine, \$25. (F. & D. No. 11223. I. S. No. 7656-r.)

On December 9, 1919, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William T. Sims, alleging shipment by said defendant, in violation of the food and drugs act, on or about April 22, 1918, from Mineral Wells, Tex., into the State of Oklahoma, of a quantity of mineral water which was adulterated and misbranded. The article was labeled in part: "Natural Austin Well Water * * * One-Half Gallon W. T. Sims, Mgr., Mineral Wells, Texas."

Examination of the article by the Bureau of Chemistry of this department showed that it was polluted, and four of the five bottles examined were found to contain less than one-half gallon of the article.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, and for the further reason that it consisted in part of a filthy, decomposed vegetable substance.

Misbranding was alleged for the reason that the statement "One-Half Gallon," borne on the label, was false and misleading, in that it represented that each bottle of the article contained not less than one-half gallon thereof, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that each bottle contained not less than one-half gallon of the article, whereas, in fact and in truth, each of said bottles did not contain one-half gallon of the article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On April 8, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*