

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 387, FOOD AND DRUGS ACT.

MISBRANDING OF COFFEE.

On or about October 15, 1908, the C. F. Blanke Tea & Coffee Company, St. Louis, Mo., shipped from the State of Missouri to the State of Pennsylvania 300 cases of coffee. Examination of samples of this product made by the Bureau of Chemistry of the United States Department of Agriculture, showed it to be misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the above examination that the said shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States Attorney for the Western District of Pennsylvania.

In due course a libel was filed in the District Court of the United States for the Western District of Pennsylvania against the said 300 cases of coffee, charging misbranding in that each of the retail packages was labeled on three sides thereof, "One Pound Net Weight Blanke Coffee Company Dutch Moka A Bourbon Blend Select Roasted Coffee" and on the fourth side thereof, in small type "This has no reference to arabian Mocha but as the name implies, is a perfectly balanced combination of fine old mellow varieties with choice Bourbon Santos which means Mocha Coffee transplanted in Santos, producing a cup at once rich, smooth and satisfying," which form of labeling was false, misleading and deceptive in that the product is represented to be Dutch Moka, which is evidently a corruption of the word "Mocha" and suggests that it is an oriental coffee, whereas, in fact, it is a Santos Coffee product.

On November 11, 1908, the case came on for hearing and the court entered an order decreeing that the goods were misbranded and ordering that the said goods should be released to the owner thereof upon the payment of costs and the filing of a bond to be approved by the court, conditioned that they should not be disposed of contrary to the laws of the United States, or the laws of any State, Territory, District, or insular possession.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*

