

Ash in nonsugar solids (per cent).....	36. 20
Color, brewer's scale (degrees).....	5
Lead precipitate.....	Medium.
Alcohol (per cent by volume).....	0. 37
Alcohol (per cent by weight).....	0. 30

Adulteration of the product was alleged in the information for the reason that the article was labeled as set forth above and alleged and purported to be pure cider vinegar and that each barrel contained 48 gallons of the product, whereas the said product was not pure cider vinegar, but was adulterated, in that certain substances, to wit, a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars, containing added mineral matter, had been mixed and packed with it and substituted wholly or in part for genuine cider vinegar, so as to reduce, lower, and injuriously affect its quality and strength. Misbranding was alleged for the reason that each of the barrels was labeled as above set forth and offered for sale as pure cider vinegar, when, as a matter of fact, the product was not pure cider vinegar, but a product prepared in imitation thereof and consisting of a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars and added mineral matter. Misbranding was alleged for the further reason that the statement "48," borne on the label, was false and misleading because it created the impression that the barrels each contained 48 gallons of the product, when, in truth and in fact, they contained less than that amount, and, further, the product was misbranded in that the same was in package form and the contents thereof were stated in terms of weight or measure, but were not plainly and correctly stated on the outside of the package, in that said barrels contained the statement "48," borne on the label thereof, indicating that they contained 48 gallons as aforesaid, when, in truth and in fact, two of said barrels contained only 44½ and 46½ gallons, respectively, the said label on the product as above set forth being false and misleading and intended to deceive and mislead the purchaser thereof.

On October 22, 1913, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$100 and the costs of the prosecution.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

2987. Adulteration and misbranding of malt and hop tonic. U. S. v. Popel-Giller Co. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 4861. I. S. No. 36188-e.)

On December 12, 1912, the United States attorney for the Southern District of Illinois, 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 Popel-Giller Co., a corporation, Warsaw, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on March 11, 1912, from the State of Illinois into the State of Louisiana, of a quantity of so-called "malt and hop tonic" which was adulterated and misbranded. The product was labeled: (Label on bottle) "Pure and Invigorating, Giller's Malt & Hop Tonic A Liquid Food Containing less than 4% alcohol. Guaranteed under the Food and Drugs Act of June 30th, 1906. Serial No. 18692. Manufactured by Popel-Giller Co. Inc. Warsaw, Ill." (On bottle cap) "Giller's Tonic—A liquid food." (Blown in glass) "Popel-Giller Co., Warsaw, Ill."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume).....	2. 75
Extract (per cent by weight).....	6. 24
Extract, original wort (per cent by weight).....	10. 62
Degree fermentation (per cent).....	41. 24
Volatile acid as acetic (grams per 100 cc).....	0. 021

Total acid as lactic (grams per 100 cc).....	0. 1755
Maltose (grams per 100 cc).....	2. 0
Dextrin (grams per 100 cc).....	2. 750
Ash (grams per 100 cc).....	0. 38
P ₂ O ₅ (grams per 100 cc).....	0. 034
Proteid (grams per 100 cc).....	0. 344
Undetermined (grams per 100 cc).....	0. 77
Polarization, undiluted, 200 mm tube (°V.).....	+40. 8
Color (¼-inch cell, Lovibond).....	40

Adulteration of the product was alleged in the information for the reason that it was shipped and sold and represented to be a malt and hop tonic, and a substance, to wit, fermented beer, prepared in part from malt substitute, was substituted in whole or in part for genuine malt and hops. Misbranding was alleged for the reason that the product was labeled as set forth above, which label bore a statement, design, and device, regarding said product and the ingredients contained therein, which was false and misleading, because it conveyed the impression that the product was prepared exclusively from malt and hops, whereas, in truth and in fact, it was a fermented beer prepared in part from a malt substitute.

On May 24, 1913, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

2988. Adulteration and misbranding of vanilla extract. U. S. v. West India Manufacturing Co. Plea of nolo contendere. Fine, \$20 and costs. (F. & D. No. 4864. I. S. No. 2301-e.)

On November 7, 1913, the United States attorney for the Eastern District of Missouri, 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 West India Manufacturing Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 25, 1912, from the State of Missouri into the State of Florida, of a quantity of so-called vanilla extract which was adulterated and misbranded. The product was labeled: "The West India Mfg. Co. St. Louis, U. S. A. Concentrated Extract Vanilla. * * * Directions for Syrup: To each gallon of syrup add two ounces Extract Vanilla, one ounce Gum Foam; darken with Sugar Color. No. 3828. Guaranteed under Food and Drugs Act, June 30, 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume).....	32. 24
Methyl alcohol.....	None.
Coloring matter: No caramel.	
Vanillin (per cent by weight).....	0. 104
Coumarin.....	None.
Vanilla resins by dealcoholizing: Somewhat deficient.	
Winton lead number.....	0. 40

Adulteration of the product was alleged in the information for the reason that a substance, to wit, a dilute extract of vanilla, had been mixed and packed therewith in such a manner as to reduce and lower and injuriously affect its quality and strength, and, further, in that a substance, to wit, a dilute extract of vanilla, had been substituted wholly or in large part for the genuine article. Misbranding was alleged for the reason that the statement "Concentrated Extract of Vanilla," borne on the label, was false and misleading, because it misled and deceived the purchaser into the belief that the product was a genuine vanilla extract, conforming to the commercial standard for such