

Sample 2-A.

10,000,000 organisms per gram, plain agar, at 25° C.

80,000,000 organisms per gram, plain agar, at 37° C.

1,000,000 *B. coli* group per gram.

The results of this analysis indicate that the product consisted in part of some form of decomposed or rotten egg, or that the product was packed from eggs under dirty conditions and that fecal matter from the shells of the eggs or filth in the containers or careless handling badly contaminated the product.

Adulteration of the product was alleged in the information for the reason that it consists in part of a filthy, decomposed, and putrid animal substance.

On June 30, 1913, a plea of guilty to the information was entered on behalf of the defendant firm and the court imposed a fine of \$50.

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

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

3007. Adulteration and misbranding of vanilla extract. U. S. v. Bernhard Hernhuter (Purity Vanilla Co.). Plea of guilty. Fine, \$20. (F. & D. No. 4919. I. S. No. 18703-d.)

On June 17, 1913, 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 Bernhard Hernhuter, doing business under the name and style of Purity Vanilla Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 21, 1912, from the State of New York into the State of Connecticut, of a quantity of so-called vanilla extract which was adulterated and misbranded. The product was labeled: "The Purity Vanilla Co. Laboratory Astoria, L. I. Three Star Brand Vanilla Extract & Beans, Fruit Oils, Rosemal, etc. Pure Vanilla Guaranteed absolutely pure food by the Purity Vanilla Co. High Grade, rich and strong." Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Vanillin (per cent).....	0.35
Coumarin.....	None.
Alcohol (per cent).....	36.40
Resins: Very heavy.	
Lead number.....	0.44
Reducing sugars (per cent).....	1.55
Color: Natural.	
Sucrose (per cent).....	15.5
Total solids (per cent).....	19.85
Ash (per cent).....	0.29
Reducing sugars before inversion (per cent).....	0.97
Sucrose by reduction (per cent).....	16.44
Nonsugar solids (per cent).....	3.4
Alkalinity of ash (cc N HCl per 1 gram).....	11.9
Color insoluble in amyl alcohol (per cent).....	21.0

Adulteration of the product was alleged in the information for the reason that there was mixed and packed with it, so as to reduce and lower and injuriously affect its quality and strength, another substance, to wit, artificial vanillin, and, further, in that there was substituted in part for the genuine article another substance, artificial vanillin. Misbranding was alleged for the reason that the product was branded and labeled as aforesaid, so as to deceive and mislead the purchaser thereof, in that said label regarding the article and the ingredients and substances contained therein was false and misleading in that said label would indicate that the article was a pure

vanilla extract, whereas, in truth and in fact, it was not a pure vanilla extract, but was a mixture of vanilla extract and artificial vanillin.

On October 31, 1913, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

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

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

3008. Alleged adulteration and misbranding of wheat bran. U. S. v. 250 Sacks of So-called Wheat Bran. Product released on bond. Order of dismissal. (F. & D. No. 4921. S. No. 1633.)

On December 27, 1912, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 sacks, each containing a product purporting to be wheat bran, remaining unsold in the original unbroken packages and in possession of G. F. Hill & Co., Gladstone, N. J., alleging that the product had been shipped on or about November 25, 1912, by the Northwestern Consolidated Milling Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "For drawback, The Northwestern Consolidated Milling Co. 100 lbs. pure wheat bran. Minimum crude protein 14.05%. Minimum Crude fat 4.00%. Minimum Crude Fibre 11.00%. Minneapolis U S A." It was alleged in the libel that a substance, to wit, screenings, had been mixed and packed with the bran in such a manner as to reduce and lower and injuriously affect its quality and strength, and, further, that a substance, to wit, screenings, had been substituted in part for said wheat bran. It was also alleged in the libel that the bran was an imitation and was offered for sale under the distinctive name of another article, that is to say, under the name of pure wheat bran, the same not being pure wheat bran as stated thereon, and, further, that said product being labeled "Pure wheat bran," was so labeled as to deceive and mislead the purchaser, in that the packages containing the product and the labels thereon bore a statement regarding the ingredients and substances contained therein, which statement was false and misleading, in that said product was not pure wheat bran, but was a mixture and packed with at least 3 per cent of added screenings. It was further alleged that the bran was intended for consumption as food, and that it was adulterated and misbranded, in that said labels were intended and calculated to deceive and mislead the purchaser thereof.

Thereafter the following stipulation was entered into between counsel for libelant and for the Northwestern Consolidated Milling Co., claimant:

Whereas the above entitled action is pending in the District Court of the United States for the District of New Jersey, and,

Whereas the Northwestern Consolidated Milling Company, a Minnesota corporation, doing business at Minneapolis, Minnesota, has appeared as claimant in said action, and,

Whereas the said claimant wishes to release the said so-called wheat bran under the terms, conditions, and provisions of section 10 of the Food and Drugs Act of June 30, 1906, as amended August 23, 1912, and all other amendments thereto, if any there be, and to that end wishes to give a bond as required by said act and to release said bran and to have the said cause dismissed,

The said claimant herein having filed a satisfactory bond as provided by section 10 of the Food and Drugs Act of June 30, 1906, as amended August 23, 1912.

It is hereby stipulated and agreed by and between the parties hereto through their respective attorneys that the above entitled action is hereby dismissed and the said bran released from seizure.

On January 19, 1914, it appearing to the court that a satisfactory bond had been filed by the claimant and that the stipulation set forth above had been entered into between