

tuted wholly or in part for the genuine Scuppernong wine which the articles purported to be. Misbranding of the products was alleged for the reason that the statement on the labels thereof, "Scuppernong Bouquet," was false and misleading, as it conveyed the impression that the products were true Scuppernong wines, that is to say, wines made from Scuppernong grapes, whereas in fact the products were not true Scuppernong wines made from Scuppernong grapes, but an imitation of said product prepared from other than Scuppernong grapes. Misbranding was alleged for the further reason that the products were labeled and branded so as to deceive and mislead the purchaser into the belief that said products were true Scuppernong wines, whereas in fact the same were not true Scuppernong wines, but mixtures prepared from grapes other than Scuppernong, which had been artificially colored and flavored in imitation of true Scuppernong wines.

On January 10, 1914, the defendant company entered a plea of nolo contendere to the indictment returned by the grand jury and the information filed by the United States attorney, and the court imposed a fine of \$1,500 and costs.

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

WASHINGTON, D. C., *June 8, 1914.*

3272. Adulteration and misbranding of vinegar. U. S. v. 120 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 1509. S. No. 545.)

On May 19, 1910, the United States attorney for the Western District of Pennsylvania, 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 120 barrels, purporting to contain fermented apple cider vinegar, remaining unsold in the original unbroken packages and in possession of the Leedom and Worrall Co., Butler, Pa., alleging that the product had been shipped on or about September 29, 1909, and November 23, 1909, by the Leroux Cider and Vinegar Co., West Toledo, Ohio, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Premier Brand Fermented Apple Cider Vinegar Mfd. for The Leedom & Worrall Co. Butler, Pa."

It was alleged in the libel that the product was misbranded and an adulteration in violation of the Food and Drugs Act, and that it was not a pure cider vinegar, but that it consisted in whole or in part of a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars and foreign ash material, mixed and prepared in imitation of fermented apple cider vinegar.

On June 10, 1910, the said Leroux Cider and Vinegar Co., claimant, having admitted the allegations as regards misbranding and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceeding and the execution of bond in the sum of \$500, in conformity with section 10 of the act.

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

WASHINGTON, D. C., *June 8, 1914.*

3273. Adulteration and misbranding of Russian cantharides. U. S. v. R. Hillier's Son Co. Plea of guilty. Fine, \$25. (F. & D. No. 1920. I. S. No. 15947-b.)

On June 26, 1912, 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 R. Hillier's Son Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on April 9, 1910, from the State of New York into the State of California, of a quantity of Russian cantharides, so-called, which was adulterated and misbranded. The product was labeled: "Powdered Russian Cantharides. Guaranteed by R. Hillier's Son Company."

Microscopic examination of a sample of the product by the Bureau of Chemistry of this department showed that the product contained a great amount of Chinese blistering beetles (*Mylabris cichorii*). Adulteration of the product was alleged in the information for the reason that said drug was sold under the professed standard for purity and strength of powdered Russian cantharides, whereas, in truth and in fact, the said drug fell below the said professed standard under which it was sold in strength and purity, and said drug was a mixture of Russian cantharides and Chinese blistering beetles, which said Chinese blistering beetles reduced the strength and purity of said drug. Misbranding of the product was alleged for the reason that the aforesaid label regarding said drug and the ingredients and substances contained therein was false and misleading in that said label would indicate that said drug consisted of powdered Russian cantharides, whereas, in truth and in fact, said drug consisted of a mixture of powdered Russian cantharides and Chinese blistering beetles.

On October 14, 1913, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

WASHINGTON, D. C., June 8, 1914.

3274. Adulteration and misbranding of cider. U. S. v. National Fruit Products Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 2241. I. S. No. 1880-c.)

On August 13, 1913, the United States attorney for the Western District of Tennessee, 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 National Fruit Products Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on September 16, 1910, from the State of Tennessee into the State of Missouri, of a quantity of an article of food called "Apple Base Cider" which was adulterated and misbranded. The product was labeled: "Apple Base Cider—Guaranteed. The contents of this package, as originally filled, are guaranteed to be made from apples, fortified with sugar. (No distilled spirits, wine or fermented juice of grapes or other small fruits or alcoholic liquors being added.) Flavored with artificial flavor; colored with vegetable color, and contains $\frac{1}{16}$ of 1% benzoate of soda. Sweetened with artificial sweetening matter and conforms to the provisions of the Food and Drugs Act, as passed by Congress, June 30, 1906. We also guarantee the contents of this package, as originally filled, to be exempt from Internal Revenue Tax. National Fruit Products Co., Memphis, Tenn."

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

Solids (grams per 100 cc)-----	19.72
Reducing sugars after inversion (grams per 100 cc)-----	12.01
Non-sugar solids (grams per 100 cc)-----	7.71
Polarization, direct, 24° C. (°V.)-----	+23.8
Polarization, invert, 23° C. (°V.)-----	+23.9