

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

|  |        |
|--|--------|
| Specific gravity, 20° C./4° C.-----    | 0.9593 |
| Alcohol (per cent by volume)-----      | 33.3   |
| Methyl alcohol: Absent.                |        |
| Coal tar color: Absent.                |        |
| Ginger (Seeker): Positive.             |        |
| Capsicum (La Wall & Nelson): Positive. |        |
| Solids (per cent)-----                 | 0.40   |

Adulteration of the product was alleged in the information for the reason that a dilute solution of ginger and capsicum had been mixed and packed with said article so as to reduce and lower and injuriously affect its quality and strength; and further, for the reason that another substance, to wit, a dilute solution of ginger and capsicum had been substituted in part for the said article. Misbranding of the product was alleged for the reason that the words "Ginger" and "Superfine Jamaica Ginger," on the label thereof, regarding said article and the ingredients and substances, were false and misleading in that the said words would indicate that the said article was Jamaica ginger, whereas, in truth and in fact, the said article was not Jamaica ginger, but was a dilute solution of ginger containing capsicum.

On April 13, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$15.

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

WASHINGTON, D. C., August 15, 1914.

**3338. Adulteration and misbranding of liqueur. U. S. v. E. G. Lyons & Raas Co. Plea of guilty as to first and third counts of information. Fine, \$50. Sentence suspended as to second count. (F. & D. No. 4252. I. S. No. 13047-d.)**

At the March, 1914, term, 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 in three counts against E. G. Lyons & Raas Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on December 7, 1911, from the State of New York into the State of Pennsylvania, of a quantity of liqueur which was adulterated and misbranded. The product was labeled: "E. G. Lyons & Raas Trademark. Established 1852, San Francisco-New York. Superfine Liqueur Leone Verdolino di Napoli. Artificially Colored. Cordial prepared with finest ingredients and guaranteed under Pure Food and Drugs Act, June 30, 1906. Serial No. 5408."

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

|  |       |
|--|-------|
| Ash (per cent)-----  | 0.137 |
| Commercial glucose (per cent)-----                                 | 6.93  |
| Alcohol (per cent by volume)-----                                  | 21.74 |
| Methyl alcohol: None.  |       |
| Solids (grams per 100 cc)-----                                     | 41.5  |
| Nonsugar solids (grams per 100 cc)-----                            | 3.0   |
| Sucrose (grams per 100 cc)-----                                    | 1.31  |
| Reducing sugars before inversion as invert (grams per 100 cc)----- | 37.22 |
| Polarizations:   |       |
| At 20° C., direct (°V.)-----                                       | +2.55 |
| At 20° C., invert (°V.)-----                                       | +0.8  |
| At 87° C., invert (°V.)-----                                       | +11.3 |

Test for coal tar color: Positive.

Two colors were found, the reactions of which on wool correspond to those of Naphthol Yellow S and Light Green SF Yellowish.

Iodin test for erythrodextrin: Positive.

Adulteration of the product was alleged in the first count of the information for the reason that there was mixed and packed in said article so as to reduce and lower its quality and strength another substance, to wit, glucose, and in that there was substituted in part for the genuine article another substance, to wit, glucose, which is not a normal ingredient of a cordial, which the article purported to be. Misbranding of the product was alleged in the second count of the information for the reason that the statement on the label thereof as follows, "Cordial prepared with finest ingredients," regarding the ingredients in said article, was false and misleading, in that said words would indicate that the best and finest ingredients were contained in said article, whereas, in truth and in fact, said article was prepared in part from glucose, which is not one of the best or finest ingredients of a cordial but was a much inferior ingredient. Misbranding was alleged in the third count of the information for the reason that the product was labeled so as to deceive and mislead the purchaser thereof, in that the statement on the label thereof as follows "Super-fine Liqueur Leone Verdolino di Napoli," regarding the article, was false and misleading, in that said words would indicate that said article was a foreign product, to wit, a product of Italy, when it was not so, but was a product of the United States; and said article was further misbranded in that it purported to be a foreign product, to wit, a product of Italy, when it was not so, but was a product of the United States.

On March 27, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 each, on the first and third counts of the information, making a total fine of \$50, and suspended sentence upon the second count of the information.

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

WASHINGTON, D. C., August 15, 1914.

**3339. Adulteration and misbranding of sorghum. U. S. v. 25 Cases of So-called Sorghum. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 4445. I. S. No. 37764-e. S. No. 1484.)**

On August 21, 1912, the United States attorney for the Eastern District of Washington, 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 25 cases represented to contain sorghum remaining unsold in the original unbroken packages and in possession of B. L. Gordon and Co., Spokane, Wash., alleging that the product had been transported from the State of Missouri into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. Fifteen of the cases were labeled: "6 Cans No. 105 Pure Missouri Sorghum." Ten of the cases were labeled: "24 Cans No. 2- $\frac{1}{2}$  Pure Missouri Sorghum." The retail packages in the cases were labeled: "Pure Missouri Sorghum Canned by National Mfg. Co. St. Joseph, Mo." It was alleged in the libel that the sorghum was misbranded and adulterated in violation of the Act of Congress of June 30, 1906, and liable to condemnation and confiscable as provided therein, for the reason that said sorghum was not pure Missouri sorghum but contained 10 per cent of glucose, and the labeling of the said sorghum, so-called, was misleading and