

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

false so as to deceive and mislead the purchaser and so as to offer the contents for sale under the name of another article, and was a misbranding within the meaning of the act.

On April 8, 1914, the cause having come on to be heard upon the libel and the answer filed by the said B. L. Gordon & Co., claimant, admitting the allegations in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered and restored to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond in the sum of \$200 in conformity with section 10 of the act.

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

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

3340. Misbranding of gin. U. S. v. The Mihalovitch Co. Plea of nolo contendere. Fine, \$100 and costs. (F. & D. No. 4508. I. S. No. 16056-d.)

On January 8, 1913, the United States attorney for the Southern District of Ohio, 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 Mihalovitch Co., a corporation, Cincinnati, Ohio, alleging shipment by said company in violation of the Food and Drugs Act, on or about December 6, 1911, from the State of Ohio into the State of Indiana, of a quantity of gin which was misbranded. The product was labeled: (On cases) "James DeKompy & Zeter Brand Gin." (On retail packages) "Genuine Hollands Geneva Process James DeKompy & Zeter Brand Established 1854. (Sticker) Guaranteed by The Mihalovitch Co. under the National 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, expressed in parts per 100,000, 100° proof, unless otherwise noted:

Proof (degrees) -----	79.5
Acids, total, as acetic -----	3
Esters, fixed, as acetic -----	8.9
Aldehydes, fixed, as acetic -----	1.5
Furfural -----	0
Fusel oil (Allen-Marquardt method) -----	0

Misbranding of the product was alleged in the information for the reason that the label and brand on said article of food bore statements, to wit, "Genuine Hollands Geneva Process James DeKompy & Zeter Brand," and designs and devices regarding said article of food and the ingredients and substances contained therein, which said statements, designs, and devices were false, misleading, and deceptive in that they purported and represented said article of food to be genuine Holland gin, imported from Holland, whereas, in truth and in fact, said article of food was not a Holland gin, but was an ordinary gin of domestic origin and manufacture. Misbranding was alleged for the further reason that the article of food was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof in that by said label and brand said article of food purported and was represented to be a foreign product and of foreign origin and manufacture, said label and brand conveying the impression that said article of food was a Holland gin, whereas, in truth and in fact, said article of food was not a foreign product nor of Dutch origin and manufacture, but was a domestic product and of American origin and manufacture.

On April 7, 1914, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$100 and costs of \$16.20.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., September 24, 1914.