

4960. **Adulteration and misbranding of grape juice. U. S. * * * v. Frank J. Hauser, trading as Monarch Wine Co. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 7324. I. S. No. 11503-1.)**

On May 20, 1916, the United States attorney for the Northern 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 Frank J. Hauser, trading as Monarch Wine Co., Kelleys Island, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 30, 1915, from the State of Ohio into the State of Illinois, of a quantity of grape juice which was adulterated and misbranded. The article was labeled, in part: (Main label) "Unfermented Catawba Grape Juice. Modified and Sweetened With Pure Cane Sugar. Monarch Wine Co. Kelleys Island, Ohio, U. S. A." (Neck label) "Monarch Grape Juice Bottled At The Winery Kelley's Island Where The Grapes Grow."

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

Solids (grams per 100 cc)-----	19.81
Nonsugar solids (grams per 100 cc)-----	1.25
Reducing sugar as invert, direct (grams per 100 cc)-----	18.06
Ash (grams per 100 cc)-----	0.17
Alkalinity soluble ash (cc N/10 acid per 100 cc)-----	10.8
Total phosphoric acid (mg per 100 cc)-----	9.0
Total tartaric acid (grams per 100 cc)-----	0.410
Free tartaric acid (grams per 100 cc)-----	0.16
Cream of tartar (grams per 100 cc)-----	0.20

Added water and sugar.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for Catawba grape juice, which the article purported to be.

Misbranding was alleged for the reason that the following statement, regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Unfermented Catawba Grape Juice," was false and misleading in that it indicated to purchasers thereof that the article was pure unfermented Catawba grape juice, and for the further reason that the article was labeled as aforesaid, so as to deceive and mislead purchasers into the belief that it was pure unfermented Catawba grape juice, when, in truth and in fact it was not, but was, to wit, a mixture of unfermented Catawba grape juice and water.

On June 17, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*