

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1430.

(Given Pursuant to Section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF "BLACKBERRY CORDIAL."

On January 27, 1912, the United States Attorney for the Southern District of Ohio, acting upon a report from the Secretary of Agriculture, filed information in the District Court of the United States for said district against Minna W. Rheinstrom, as executrix of the estate of Abraham Rheinstrom, deceased, trading under the name of Rheinstrom Bros., at Cincinnati, Ohio, alleging shipment by her, in violation of the Food and Drugs Act, on or about April 12, 1911, from the State of Ohio into the State of Pennsylvania, of a consignment of blackberry cordial which was adulterated and misbranded. The product was labeled: (On barrel) "(RE) Blackberry Cordial, Harmlessly colored. Guaranteed under the Pure Food and Drugs Act, June 30, 1906, by Rheinstrom Brothers, Cincinnati, Ohio. Cordial. Rheinstrom Bros., Rectifiers and wholesale liquor dealers, 919-944 Martin St., Cincinnati, O. J. M. Benzing, U. S. Gauger, Insp. April 12, 1911." Revenue stamp "E. 112222."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Specific gravity-----	1.1139
Alcohol (per cent by volume)-----	9.11
Solids (grams per 100 cc)-----	29.0
Non-sugar solids (grams per 100 cc)-----	2.34
Reducing sugars invert (grams per 100 cc)-----	26.66
Polarization:	
Direct at 28° C-----°V	-5.0
Invert at 28° C-----°V	-8.0
Invert at 87° C-----	0.0
Ash (grams per 100 cc)-----	0.346
Alkalinity of ash (cc N/10 acid per 100 cc)-----	34.0
Total acid as citric (grams per 100 cc)-----	.98

Volatile acid as acetic (grams per 100 cc)-----	0.18
Total P ₂ O ₅ (mg per 100 cc)-----	39.0
Methyl alcohol-----	None.
Benzoic acid-----	None.
Salicylic acid-----	None.
Saccharin-----	None.
Tartaric acid (grams per 100 cc)-----	.195
No coal tar color.	

Misbranding and adulteration were alleged in the information as follows: That said article of food, so contained in said barrels bearing said label and brand, was then and there misbranded in that it was then and there offered for sale and sold as aforesaid, under the distinctive name of another article of food, to wit, blackberry cordial; it then and there being an imitation blackberry cordial, consisting of a solution artificially flavored, colored and preserved; that said article of food, so contained in said barrels, bearing said label and brand, was then and there further misbranded in that it was then and there labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof; that said article of food was then and there further misbranded in that said label and brand on each of said barrels containing the same did then and there bear statements, designs, and devices regarding said article of food and ingredients and substances contained therein, which said statements, designs, and devices were then and there false, misleading, and deceptive, in that they purported and represented said article of food then and there to be blackberry cordial, when in truth and in fact, said article of food was not then and there genuine blackberry cordial, but was an imitation blackberry cordial, consisting of a solution, artificially flavored, colored, and preserved; that said article of food, so contained in said barrels bearing said label and brand, was then and there adulterated in that another substance, to wit, an imitation blackberry cordial, consisting of a solution, artificially flavored, colored, and preserved, was then and there substituted wholly for said article of food, so purporting and representing then and there to be blackberry cordial.

On January 31, 1912, the defendant pleaded guilty and was fined \$25 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *March 1, 1912.*