

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1921.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF SO-CALLED WILD CHERRY CORDIAL.

On or about June 7, 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 a libel for the seizure and condemnation of one barrel of so-called wild cherry cordial remaining unsold in the original unbroken package and in possession of Jastrow Alexander & Co., New York, N. Y., alleging that the product had been shipped on or about April 19, 1912, by the Universal Herbs Extract Co., East Newark, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Guaranteed under the National Pure Food Law. Preserved with 1/10 of 1% Sodium Benzoate. 52½ Gals. Wild Cherry Cordial."

Adulteration of the product was alleged in the libel for the reason that certain substances, to wit, benzaldehyde and caramel, had been wholly substituted for wild cherry cordial, and for the further reason that the product purporting to be wild cherry cordial had been colored in a manner whereby inferiority was concealed by addition of caramel. Misbranding was alleged for the reason that the product was an imitation of another article of food, to wit, wild cherry cordial; for the further reason that it was offered for sale under the distinctive name of another article of food, that is, under the name of wild cherry cordial, and for the further reason that the label upon the product bore a statement regarding the ingredients and substances contained therein which was false and misleading, in that it described the ingredients and substances contained in the product as wild cherry cordial, whereas in truth and in fact they were not wild cherry cordial, but a mixture of benzaldehyde and caramel.

On June 26, 1912, decree of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 11, 1912.*

