

5967. Adulteration and misbranding of so-called Jamaica rum and cognac type brandy. U. S. * * * v. The Turner-Looker Co., a corporation (Peoples Distilling Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8299. I. S. Nos. 12168-m, 12169-m.)

On September 14, 1917, 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 Turner-Looker Co., a corporation, Cincinnati, Ohio, alleging shipment by said company, under the trade name of People's Distilling Co., in violation of the Food and Drugs Act, on or about February 7, 1917, from the State of Ohio into the State of New York, of quantities of articles, labeled in part, "Jamaica Rum" and "Cognac Type Brandy," respectively, which were adulterated and misbranded.

Analyses of the samples of the articles by the Bureau of Chemistry of this department showed the following results, expressed, unless otherwise stated, in grams per 100 liters to 100 proof alcohol:

	The cognac type brandy.	The Jamaica rum.
Alcohol (per cent by volume)-----	45.1	45.1
Proof (degrees)-----	90.1	90.1
Acids, total, as acetic-----	9.3	18.3
Esters, as acetic-----	27.3	27.2
Aldehydes, as acetic-----	0.63	0.73
Fusel oil-----	11.8	3.9
Caramel: Positive.		

The above analyses shows that an artificially colored imitation, consisting largely of neutral spirits, had been substituted for the product in each case.

Adulteration of the so-called Jamaica rum was alleged in the information for the reason that an artificially colored imitation consisting largely of neutral spirits had been mixed and packed therewith, so as to lower or reduce and injuriously affect its quality, and had been substituted in whole or in part for Jamaica rum, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement to wit, "Jamaica Rum," borne on the label attached to the keg, and the statement, to wit, "Imp. Jam. Rum," borne on the tag attached to the keg, regarding the article and the ingredients and substances contained therein, not corrected by the statement, "Imitation Rum. Proof 90," were false and misleading in that they represented that the article was Jamaica rum, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was Jamaica rum, whereas, in truth and in fact, it was not, but was an artificially colored imitation of Jamaica rum consisting largely of neutral spirits.

Adulteration of the so-called cognac type brandy was alleged for the reason that an artificially colored imitation consisting largely of neutral spirits had been mixed and packed therewith, so as to lower and reduce and injuriously affect its quality, and had been substituted in whole or in part for brandy, which the article purported to be.

Misbranding of the article in the other shipment was alleged for the reason that the statement, to wit, "Cognac Type Brandy," borne on the keg containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was cognac type brandy, and for the further reason that it was labeled

as aforesaid so as to deceive and mislead the purchaser into the belief that it was cognac type brandy, whereas, in truth and in fact, it was not, but was an artificially colored imitation of brandy consisting largely of neutral spirits.

On January 28, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*