

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2169.

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

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### ADULTERATION AND MISBRANDING OF JAMAICA GINGER.

On July 3, 1911, the United States Attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. S. Farris, doing business under the name and style of the Union Manufacturing & Packing Co., Salt Lake City, Utah, alleging the sale by him, under a written guaranty, on or about September 1, 1910, for interstate shipment, of a quantity of Jamaica ginger which was adulterated and misbranded in violation of the Food and Drugs Act, which product, without having been changed in any particular, was, on or about September 2, 1910, shipped by the purchaser thereof from the State of Utah into the State of Wyoming. The product was labeled: "Concentrated essence of Jamaica Ginger. This essence contains in a concentrated form all the valuable medicinal properties of the best Jamaica Ginger and cannot be equalled for colic, cramps, diarrhoea, Flatulency, and Dyspepsia. Dose. Adults 1 teaspoonful, for children in proportion to age, given in sugar and water. Prepared by Union Manufacturing & Packing Co., Salt Lake City, Utah."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 15.5° C., 0.8890; non-volatile solids, grams per 100 cc, 0.969; ash, grams per 100 cc, 0.123; alcohol, by volume, 67.4 per cent; La Wall's test for capsicum, positive; Nelson's test for capsicum, positive; Seeker's test for ginger, positive; caramel, none. Adulteration and misbranding of the product were alleged in the information for the reason that it was not a concentrated essence of Jamaica ginger, as represented by the label, but an appreciable quantity of capsicum had been substituted in part therein for Jamaica ginger, and said label was false and misleading, in that it represented the product to be unequalled for colic, cramps, diarrhea, flatulency, and dyspepsia, whereas, in truth and in fact, it was not an efficient remedy for the said diseases and disorders, and said product contained 60.4 per cent of

alcohol, the presence and proportion of which were not declared on said label. It will be noted that the product was alleged in the information to contain 60.4 per cent of alcohol, while it was shown by analysis to contain 67.4 per cent of alcohol. The case was reported for prosecution upon a charge of misbranding only.

On October 15, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$10 with costs.

WILLIS L. MOORE,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 3, 1913.*

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