

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 2310.

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

### MISBRANDING OF MALT NUTRINE.

On November 29, 1912, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information against the Anheuser-Busch Brewing Association, a corporation, doing business in the District of Columbia, alleging that said defendant company, on July 23, 1910, at the District aforesaid, sold, in violation of the Food and Drugs Act, a quantity of Malt Nutrine which was misbranded. The product was labeled: (On bottle) "(Guaranty clause) Alcohol 1 90/100 per cent. No. 2289. Anheuser-Busch Brewing Association, St. Louis, Mo. Anheuser-Busch Malt Nutrine Alterative, Nutritive, Tonic, Strengthening, Invigorating, Sedative. A Non-intoxicant Sparkling Concentrated Liquid Extract of Malt and Hops. \* \* \* Makes Blood and tissue. Aids digestion. Lends strength to the weak. Triumphs over disease. Nourishes the convalescent. \* \* \* Rests the brain and quiets the nerves. It is invaluable to nursing mothers. Nothing like it for teething children. Enriches the blood and builds up the system. \* \* \* (On circular) "\* \* \* A concentrated extract of Malt of Acknowledged Merit. \* \* \*"

An analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results:

Specific gravity (15.6° C./15.6° C.)	1. 05864
Specific gravity of distillate	99758
Alcohol (per cent by volume)	1. 64
Extract (per cent by weight)	15. 37
Extract of original wort (per cent)	17. 97
Specific gravity of original wort	1. 0722
Degree of fermentation	14. 47

Volatile acid (cc N/10 sodium hydroxid per 100 cc)-----	3.5
Volatile acid (grams calculated as acetic per 100 cc)-----	-0.021
Total acid (cc N/10 sodium hydroxid per 100 cc)-----	70
Total acid (grams calculated as lactic per 100 cc)-----	0.675
Maltose (per cent)-----	8.91
Dextrin (per cent)-----	3.83
Ash (per cent)-----	0.35
Protein (per cent)-----	0.96
Undetermined matter (per cent)-----	1.32
Phosphoric acid (P <sub>2</sub> O <sub>5</sub> ) (per cent)-----	0.14
Color in $\frac{1}{4}$ -inch cell Lovibond tintometer-----	70
Polarization (°V.)-----	+96.8

Misbranding of the product was alleged in the information for the reason that the label thereon bore certain false and misleading statements, and in that it was labeled so as to deceive and mislead the purchaser thereof, and among the false, misleading, and deceptive statements were the words and statement, "Highly concentrated extract of Malt," meaning and signifying thereby that the product was a pure extract of malt, concentrated, whereas in truth and in fact it was not, but consisted of other ingredients than malt, to wit, alcohol and extractive matter from hops.

On November 29, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$50.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 4, 1913.*