

3894. Adulteration and misbranding of so-called extract of vanilla. U. S. v. Chapman Drug Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 4369. I. S. No. 7923-d.)

On October 9, 1912, the United States attorney for the Eastern District of Tennessee, 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 Chapman Drug Co., a corporation, Knoxville, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on November 16, 1911, from the State of Tennessee into the State of North Carolina, of a quantity of so-called extract of vanilla which was adulterated and misbranded. The package containing the product was branded: (In large red letters) "Extract of Vanilla," (In very much smaller type) "Guaranteed under the Food and Drugs Act, June 30, 1906, Special Serial No. 223," (In somewhat larger type) "For Flavoring Ice Cream Jellies and Pastries" and "Manufactured by Chapman Drug Company, Knoxville."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity, 20°/4° C.....	0.9161
Solids (per cent by weight).....	1.72
Vanillin (per cent by weight).....	0.03

It was alleged in the information that the product was labeled as above set forth, when in fact it was not extract of vanilla, but a dilute vanilla extract had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and, further, in that a dilute vanilla extract had been substituted wholly or in part for the said full-strength vanilla extract, which [while] the label purported that it was vanilla extract, and said article was therefore misbranded [adulterated] under the provisions of section 7 of said Food and Drugs Act, paragraphs 1 and 2.

Misbranding was alleged for the reason that said label, "Extract of Vanilla," was false and misleading, as it conveyed the impression that the product was full-strength extract of vanilla, whereas, in fact, it was a dilute extract of vanilla; and, further, in that the product was labeled and branded so as to deceive and mislead the purchaser into the belief that it was full-strength extract of vanilla, whereas, in fact, it was a dilute extract of vanilla.

On November 5, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 29, 1915.*