

3895. 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. 4372. I. S. No. 7924-d.)

On October 10, 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 December 25, 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 extract was branded: (In large red letters) "Extract of Vanilla" (Small type) "Guaranteed under the Food and Drugs Act, June 30, 1906, Special Series No. 223" (Larger type) "For Flavoring Ice Cream Jellies and Pastries." The product was labeled: "Extract of Vanilla, guaranteed under Food and Drugs Act, June 30, 1906, Serial No. 223 Manufactured by Chapman Drug Co. 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
Ethyl alcohol (per cent by volume).....	59. 2
Methyl alcohol: None.	
Solids (per cent by weight).....	1. 55
Vanillin (per cent by weight).....	0. 04
Coumarin: None.	
Normal lead number.....	0. 45
Vanilla resin reactions: Satisfactory.	
Coloring matter: Natural.	

It was alleged in the information that the product was labeled as set forth above, 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 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, 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 for the further reason 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.*