

3955. Adulteration and misbranding of so-called sciroppo tamarindo [sirup of tamarind].
U. S. v. Frank Morelli and Tomaso Bruni. Plea of guilty. Fine, \$50. (F. & D. No. 5771. I. S. No. 37164-e.)

On January 25, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank Morelli and Tomaso Bruni, copartners, trading under the firm name and style of Bruni & Morelli, alleging shipment by said defendants, in violation of the Food and Drugs Act, on June 3, 1912, from the State of New York into the State of Pennsylvania, of a quantity of so-called "Sciroppo Tamarindo" which was adulterated and misbranded. The product was labeled: (Neck label) "Dia" (Main label) "Sciroppo Tamarindo" (Picture of woman) "Dia This Product Is Guaranteed Under The National Pure Food Law Under Serial Number 6087. Especially Prepared For Italo American Liquor Mfg. Co. New York, U. S. A."

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

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| Solids by refractometer (per cent by weight)..... | 67. 10 |
| Nonsugar solids (per cent by weight)..... | 2. 59 |
| Sucrose by reduction (per cent by weight)..... | 2. 39 |
| Reducing sugars as invert before inversion (per cent by weight) | 62. 12 |
| Commercial glucose..... | None. |
| Polarization, direct, at 20° C. (°V.)..... | -17. 2 |
| Polarization, invert, at 20° C. (°V.)..... | -18. 0 |
| Polarization, invert, at 87° C. (°V.)..... | + 0. 2 |
| Ash (per cent)..... | 0. 95 |
| Acids (cc N/10 alkali per 100 grams)..... | 250. 0 |
| Reducing sugars as invert after inversion (per cent)..... | 64. 64 |
| Test for coal tar color: Negative. | |
| Phosphoric acid as P ₂ O ₅ (per cent)..... | 0. 004 |
| Tartaric acid: None. | |
| Citric acid (per cent)..... | 1. 71 |
| Malic acid: None. | |
| Tests for salicylic and benzoic acids and saccharin: Negative. | |

This product consists largely of sugar sirup and citric acid colored in imitation of true tamarind sirup.

Adulteration of the product was alleged in the information for the reason that a substance, to wit, a solution consisting largely of sugar sirup and citric acid, colored in a manner whereby its inferiority was concealed, had been substituted wholly or in part for the genuine tamarind sirup, which the article purported to be; and for the further reason that said article was colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the reason that the statement "Sciroppo Tamarindo—Dia," appearing on the label regarding the article and the ingredients and substances therein contained, was false and misleading, in that it indicated that said article was a genuine sirup of tamarind, whereas in truth and in fact, it was not a genuine sirup of tamarind, but was a solution consisting largely of sugar sirup and citric acid, colored in a manner whereby its inferiority was concealed. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Sciroppo Tamarindo—Dia," thereby indicating that said article was a genuine sirup of tamarind, whereas, in truth and in fact, it was not a genuine sirup of tamarind, but was a solution consisting largely of sugar sirup and citric acid, colored in a manner whereby its inferiority was concealed.

On February 11, 1915, defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 upon each defendant, making an aggregate fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., July 1, 1915.