

United States Department of Agriculture,

OFFICE OF THE SECRETARY,

BOARD OF FOOD AND DRUG INSPECTION.

NOTICE OF JUDGMENT NOS. 48-49, FOOD AND DRUGS ACT.

48. Adulterated and misbranded vanilla extract (A colored imitation).

49. Misbranding of coffee (As to geographical source).

(N. J. 48.)

ADULTERATED AND MISBRANDED VANILLA EXTRACT.

(A COLORED IMITATION.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 24th day of April, 1908, in the district court of the United States for the southern district of Ohio in a criminal prosecution by the United States against the Heekin Spice Company, a corporation, for violation of section 2 of the aforesaid act in shipping and delivering for shipment from Ohio to Kentucky an adulterated and misbranded vanilla extract, the said Heekin Spice Company entered a plea of guilty, whereupon the court imposed upon it a fine of \$5 and the costs of the prosecution.

The following is a statement of facts upon which the case was based:

On July 5, 1907, an inspector of the Department of Agriculture purchased from Wittmeyer Brothers, Newport, Ky., a sample of a food product labeled "American Flavors, Vanilla." This sample was part of a lot of the same product shipped by Heekin Spice Company from Cincinnati, Ohio, to Wittmeyer Brothers, Newport, Ky., on or about June 15, 1907. The sample was subjected to analysis in the Bureau of Chemistry and the following results obtained and stated:

Coumarin	None.
Vanillin	0.11 per cent.
Methyl alcohol	None.
Resins	None.
Caramel	Present.
Alcohol test	Natural color absent.

In "Standards of Purity for Food Products," Circular No. 19, Office of the Secretary, United States Department of Agriculture, established

under authority of the act of March 3, 1903, vanilla extract is defined as follows:

Vanilla extract is the flavoring extract prepared from vanilla bean, with or without sugar or glycerin, and contains in one hundred (100) cubic centimeters the soluble matters from not less than ten (10) grams of the vanilla bean.

It was apparent, therefore, that the article was both adulterated and misbranded; adulterated because of the substitution of synthetic vanillin for extract of the vanilla bean, and because it was an imitation extract colored with caramel to give it the color of genuine vanilla extract, thereby concealing inferiority; and misbranded because it was labeled "American Flavors, Vanilla" when, as a matter of fact, it was an imitation of that article having in it no extract of the vanilla bean and having been colored with caramel to impart the color of the pure extract. The Secretary of Agriculture having on September 28, 1908, afforded the manufacturers an opportunity to show any fault or error in the aforesaid analysis and they having failed to do so, the facts were duly reported to the Attorney-General and the case referred to the United States attorney for the southern district of Ohio, who filed an information against the said Heekin Spice Company, with the result hereinbefore stated.

H. W. WILEY,
F. L. DUNLAP,
GEO. P. MCCABE,

Board of Food and Drug Inspection.

Approved:

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *March 17, 1909.*

(N. J. 49.)

MISBRANDING OF COFFEE.

(AS TO GEOGRAPHICAL SOURCE.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given of the judgment of the court in the case of the United States *vs.* 300 cases of roasted coffee, more or less, a proceeding of libel brought under section 10 of the aforesaid act, in the district court of the United States for the district of Indiana, for seizure and condemnation of the said coffee for the reason that it was misbranded, in this, it was labeled and branded "Dutch Java Blend," although it contained neither Java nor any other East