

the United States attorney for the district of Maryland, and libel for seizure and condemnation was duly filed, 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., November 27, 1909.

(N. J. 122.)

ADULTERATION AND MISBRANDING OF STRAWBERRY EXTRACT.

(AN IMITATION COLORED WITH A COAL-TAR DYE.)

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 15th day of June, 1909, in the district court of the United States for the eastern district of Louisiana, in a prosecution against King Brothers, Shilstone & Saint (Limited), a corporation of New Orleans, La., for violation of section 2 of the aforesaid act in shipping and delivering for shipment an adulterated and misbranded strawberry flavoring extract, the said King Brothers, Shilstone & Saint (Limited), having entered a plea of guilty, the court imposed upon it a fine of \$10.

The facts in the case were as follows:

On or about April 6, 1908, an inspector of the United States Department of Agriculture purchased from R. Tuminello, Magnolia, Miss., a sample of strawberry extract labeled "Crown Extract of Strawberry. Prepared by Phoenix Extract Company, New Orleans, La.," which had been manufactured and shipped by King Brothers, Shilstone & Saint (Limited), New Orleans, La., to the said dealer on or about October 18, 1907. The sample was subjected to analysis in the Bureau of Chemistry, United States Department of Agriculture, and the following results obtained and stated:

Specific gravity (15.5° C.)-----	0.9952
Solids (grams per 100 cc)-----	3.79
Alcohol, by volume (per cent)-----	15.52
Esters, as amyl acetate (per cent)-----	.86
Color-----	Coal-tar dye.

It was evident that the product was both adulterated and misbranded within the meaning of sections 7 and 8 of the act; adulterated because it was not made from the strawberry fruit, but was an arti-

cle artificially made and colored in imitation of strawberry extract; and misbranded because labeled "Extract of Strawberry," whereas it was an imitation of the genuine strawberry extract and was offered for sale and sold under the distinctive name of the genuine article.

The Secretary of Agriculture having, on October 18, 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 reported to the United States attorney for the eastern district of Louisiana, who filed an information against King Brothers, Shilstone & Saint (Limited), with the result hereinbefore stated.

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

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