

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 275, FOOD AND DRUGS ACT.

MISBRANDING OF COFFEE.

On or about October 12, 1908, and October 30, 1908, the C. F. Blanke Tea & Coffee Company, St. Louis, Mo., shipped from the State of Missouri to the State of Oklahoma and the State of Pennsylvania, respectively, consignments of a food product labeled:

On front of carton—

“One Pound Net weight Blanke Coffee Co. Dutch Moka A Bourbon Blend Select Roasted Coffee;”

On back of carton—

“Dutch Moka A Bourbon Blend Coffee This has no reference to Arabian Mocha but as the name implies, is a perfectly balanced combination of fine old mellow varieties with choice Bourbon Santos, which means Mocha Coffee transplanted in Santos;”

And on or about August 15, 1908, the said C. F. Blanke Tea & Coffee Company shipped from the State of Missouri to the State of Arkansas a consignment of food product labeled:

“Blanke’s Grant Cabin Blend Coffee Combination of Mocha, Java, and other Superior Grades C. F. Blanke Tea & Coffee Co., St. Louis, Mo.”

Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analysts and reports thereon indicated that the products were misbranded within the meaning of the Food and Drugs Act, June 30, 1906, the Secretary of Agriculture afforded the C. F. Blanke Tea & Coffee Company, and the parties from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that the said shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with statements of the evidence upon which to base prosecutions. In due course a criminal information was filed in the District Court of the United States for the Eastern District of Missouri, charging the above shipments and that the products were misbranded, in that one was labeled “Dutch Moka A Bourbon Blend Select Roasted

Coffee," whereas, in fact, it was South American coffee which had no Bourbon or Mocha character, and that the word "Moka" was merely a misspelling of the word "Mocha," and was further misbranded, in that the product was offered for sale under the distinctive name of another article; and the other was labeled "Blanke's Grant Cabin Blend Coffee Combination of Mocha, Java and other Superior Grades," which statements were false, misleading, and deceptive, in that the product did not contain any Mocha or Java Coffee, as stated on the label, but was a combination of other and inferior coffees, and was further misbranded, in that the product was offered for sale under the distinctive name of another article.

On February 15, 1910, the defendant entered a plea of guilty, and the court imposed upon it a fine of \$15.

This notice is given pursuant to section 4 of the Food and Drugs Act, June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *April 6, 1910.*

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