

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 861, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF ORANGE FLAVOR.

On or about April 30, 1910, Steelman & Archer, a corporation, shipped from the State of Pennsylvania into the State of New Jersey a quantity of orange flavor bearing the following label: (On carton) "Steelman & Archer Brand Orange Flavoring * * * Guaranteed etc. * * * Manufactured by Steelman & Archer, Wholesale Druggists, Phila., Pa." (On bottle): "Orange Flavoring. Contains alcohol 48.9 per cent, pure oil orange, water and colored with turmeric. Guarantee No. 1028. For Flavoring Blanc Mange, Custards, Ice Cream, Jellies, Etc. Etc., Steelman & Archer, * * * 16 So. Front St., Philadelphia." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, with the following results: Sp. gr. at 15.6° C., 0.93913; alcohol, by volume, 47.52 per cent; polarization at 20° C., + 0.45°; orange oil, from polarization, trace; orange oil, from precipitation, trace; total solids, by evaporation, 0.03 per cent; ash, trace; citral, Hiltner's method, trace, too small to measure; color, probably natural. As the analysis and report thereon showed that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Steelman & Archer, Incorporated, and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General with a statement of the evidence upon which to base a prosecution.

On November 21, 1910, a criminal information was filed in the District Court of the United States for the Eastern District of Pennsylvania against Steelman & Archer, Incorporated, charging the above shipment and alleging that the product so shipped was adulterated in that a highly dilute orange flavor had been mixed therewith so as to

reduce and lower its quality and strength, and in that a highly dilute orange flavoring, containing only a trace of orange oil, had been substituted wholly or in part for the genuine orange flavoring. The information also alleged that the product was misbranded in that the label thereof bore the statement, to wit: "Orange Flavoring," which said statement was false and misleading because it would lead the purchaser to believe that the product was an orange extract conforming to the commercial standard of such product, whereas, in truth and in fact, said product contained only a trace of orange oil.

Upon arraignment the defendant entered a plea of guilty to the above information, whereupon the court imposed a fine of \$25.

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

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *May 3, 1911.*

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