

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1295.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF COFFEE.

At the November term, 1910, of the United States Circuit Court for the Eastern District of Louisiana, the United States Attorney, acting upon a report by the Secretary of Agriculture, filed two informations in said court against the Smith Bros. Co. (Ltd.), a corporation, alleging shipments by it, in violation of the Food and Drugs Act, on or about March 10, 1910, and March 14, 1910, respectively, from the State of Louisiana into the State of Mississippi of a quantity of coffee which was adulterated and misbranded. The product in each case was labeled: "African Brand Java Blend Chicory and Coffee, one pound net weight. Roasted and packed by Crescent Coffee Mills, New Orleans."

Samples taken from each of the consignments and numbered I. S. 14941-b and 10758-b were examined by the Bureau of Chemistry of the United States Department of Agriculture, which reported as follows: I. S. No. 14941-b: "About one-third each of Dutch East Indian, Santos and Mexican." I. S. No. 10758-b: "The package contains a mixture of coffee and chicory. About three parts low grade Rio and about one part chicory." Adulteration was charged in each of the informations against these products for the reason that the products contained no Java coffee but consisted of a mixture of low grade Rio coffee and chicory, and that Rio coffee had been substituted for the Java coffee represented by the said labels to be contained in said article, and further that Rio coffee had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength. Misbranding was alleged in each of the informations against the said products for the reason that the labels bore the statements that the coffee was a blend of Java coffee and chicory, which statements were false and misleading, as the products contained no Java coffee but were mixtures of a low grade Rio coffee and chicory, and further in that the labels were such as to deceive and mislead the purchaser into believing that the products contained Java coffee when in fact they did not, but were mixtures of Rio coffee and chicory.

The defendant entered a plea of guilty to both informations and was fined \$10 and costs amounting to \$40.40.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 20, 1912.*