

Issued September 27, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1687.

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

ADULTERATION AND MISBRANDING OF OLEO RESIN VANILLA.

On April 3, 1912, the United States Attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gray, McLean & Percy, a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 1, 1911, from the State of Oregon into the State of Washington, of a consignment of a product known as "Oleo Resin Vanilla," which was adulterated and misbranded. The product was labeled: "Oleo-Resin-Vanilla G. M. & P. Manufacturers of Extracts, Color syrups, Crushed Fruits, etc. Gray, McLean & Percy, Bakers, Confectioners & Fountain Supplies, 113-115 4th St. N., Portland, Oregon."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Solids, 36.70 per cent; ash, trace; alcohol, 65.9 per cent; methyl alcohol, none; vanillin, 11.82 per cent; coumarin, 5.98 per cent; glycerin, present; color, coal tar dye apparently mixture of Orange I and Indigo Disulpho Acid. Adulteration was alleged in the information for the reason that an imitation vanilla extract had been mixed and packed with the product in such manner as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the genuine "Oleo-Resin-Vanilla," and said product was further adulterated by the mixing therewith and addition thereto of a coal tar dye or coloring matter in such manner as further to reduce, lower, and injuriously affect its quality and strength and operate to conceal the adulteration and inferiority aforesaid. Misbranding was

alleged for the reason that the word or phrase "Oleo-Resin-Vanilla" stated and borne on the label was false and misleading because the product was a composition and mixture of ingredients other than and in imitation of vanilla, and by the use of a dye artificially colored to represent a pure and genuine vanilla; and that said label was calculated to and would deceive and mislead intending purchasers into the belief that they were purchasing genuine and pure Oleo-Resin-Vanilla, conforming to the true and commercial concept thereof, when in truth and in fact they were purchasing an adulterated product prepared as aforesaid, in imitation of and offered for sale under the distinctive name of another article, to wit, "Oleo-Resin-Vanilla."

On April 15, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$10.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *July 27, 1912.*

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