

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2089.

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

ADULTERATION AND MISBRANDING OF APRICOT CORDIAL.

On September 12, 1912, the United States Attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. Bastheim, F. V. Fisher, and J. L. Gottstein, copartners doing business as M. & K. Gottstein, Seattle, Wash., alleging shipment by them, in violation of the Food and Drugs Act, on or about February 18, 1911, from the State of Washington into the Territory of Alaska, of a quantity of apricot cordial which was adulterated and misbranded. The product was labeled: "High Grade Apricot Cordial, Guaranteed under the National Pure Food and Drugs Act."

Analysis of a sample of the product made by the Bureau of Chemistry of this Department showed the following results: Specific gravity 15.6° C/15.6° C, 1.0931; alcohol (per cent by volume), 23.60; solids (grams per 100 cc), 31.24; nonsugar solids, none; sucrose by Clerget, 7.69 per cent; reducing sugar invert, 21.46 per cent; per cent sugar in solids, 100; polarization, direct temperature 20° C., +1.4° V.; polarization invert temperature 20° C., -8.8° V.; ash (grams per 100 cc), 0.011; acid, as acetic (grams per 100 cc), 0.217; lead precipitate, considerable; color removed by fuller's earth, none; esters, as ethyl acetate (grams per 100 cc), 0.0132; furfural (grams per 100 cc), 0.00012. Adulteration of the product was alleged in the information for the reason that a substance, to wit, an imitation apricot cordial artificially flavored, was substituted in part for the genuine article. Misbranding was alleged for the reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "High Grade Apricot Cordial," thereby purporting to be apricot cordial, whereas in truth and in fact it was an imitation apricot cordial artificially flavored, and it was further misbranded in that it was labeled and branded so as to deceive and mislead the purchaser, being labeled as aforesaid, thereby purporting to be a genuine

apricot cordial of high grade when in truth and in fact it was an imitation apricot cordial artificially flavored.

On September 14, 1912, the defendants entered a plea of guilty to the information and the court imposed a fine of \$100, with costs of \$31.15.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 9, 1912.*

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