

Issued April 16, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2199.

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

MISBRANDING OF BITTERS.

On May 3, 1912, the United States Attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bettman-Johnson Co., a corporation, Cincinnati, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 19, 1910, from the State of Ohio into the State of Texas of a quantity of bitters which was misbranded. The product was labeled: "Pale Orange Bitters Superior Quality Trade (Lion's head) Mark A Wholesome Tonic Pale Orange Bitters Superior Quality. These Bitters are guaranteed to be made under the most approved process of the best materials. (Guaranty legend) Serial No. 2161."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Alcohol by volume, 32 per cent; colored with caramel. Misbranding of the product was alleged in the information for the reason that the label thereon failed to bear a statement of the quantity or proportion of the alcohol contained in the product.

On November 8, 1912, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$25, with costs of \$14.30.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 11, 1913.*

