

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2494.

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

U. S. v. Herman Fuchs. Plea of guilty. Sentence suspended.

ADULTERATION AND MISBRANDING OF VANILLA EXTRACT.

On November 4, 1912, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Herman Fuchs, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on March 6, 1911, from the State of New York into the State of New Jersey, of a quantity of vanilla extract which was adulterated and misbranded. The product was labeled: "Vanilla Extract. Guaranty Legend, Serial No. 6492. H. Fuchs, Importer, Manufacturer and Dealer in Fine Essential Oils and Flavoring Extracts. 173 West Broadway, Cor. Worth Street, New York."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Alcohol, 11.2 per cent; methyl alcohol, none; vanillin, 0.66 per cent; coumarin, none; solids, 16.3 per cent; water insoluble resins, none; color entirely artificial and is caramel. Adulteration of the product was alleged in the information for the reason that there had been mixed and packed with it another substance, to wit, alcohol, water, and artificial vanillin, so as to reduce, lower, and injuriously affect its quality and strength. Misbranding was alleged for the reason that the label set forth above regarding the product and the ingredients and substances contained therein was false and misleading and said product was labeled as aforesaid so as to deceive and mislead the purchaser thereof in that the label would indicate that the product was extract of vanilla bean, whereas it was not an extract of vanilla bean but an imitation of vanilla extract consisting of alcohol, water, artificial vanillin, and caramel.

On March 3, 1913, the defendant entered a plea of guilty to the information and the court suspended sentence.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *June 6, 1913.*