

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the presence of 0.001 grain of nitroglycerin per tablet. Adulteration of the product was alleged in the information for the reason that the label borne upon the bottle containing it represented to the purchaser that each of the tablets contained one two-hundredth of a grain of nitroglycerin, whereas, in truth and in fact, the strength of each of the nitroglycerin tablets fell below the professed standard under which the drug had been sold and shipped, in that each of the nitroglycerin tablets contained not to exceed one one-thousandth of a grain of nitroglycerin. Misbranding was alleged for the reason that the statement on the label appearing on the bottle containing the product was false and misleading in that said statement represented to the purchaser that each of the nitroglycerin tablets contained one two-hundredth of a grain of nitroglycerin, whereas, in truth and in fact, the strength of each of the nitroglycerin tablets fell below the professed standard under which it had been sold and shipped, in that each of the nitroglycerin tablets contained not to exceed one one-thousandth of a grain of nitroglycerin.

On September 8, 1913, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 with costs of \$15.40.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 3, 1914.*

2840. Adulteration and misbranding of so-called apple cider. U. S. v. National Fruit Products Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 3841. I. S. No. 1395-d.)

On August 13, 1913, the United States Attorney for the Western District of Tennessee, 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 National Fruit Products Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on July 21, 1911, from the State of Tennessee into the State of Texas, of a quantity of so-called apple cider which was adulterated and misbranded. The product was labeled: "Apple Cider—Guaranteed. The contents of this package, as originally filled, are guaranteed to be made from apples fortified with sugar. (No distilled spirits, wine or fermented juice of grapes or other small fruits or alcoholic liquors being added.) Flavored with artificial flavor; colored with vegetable color, and contains 1/10 of 1% benzoate of soda. Sweetened with artificial sweetening matter and conforms to the provisions of the Food and Drugs Act, as passed by Congress, June 30, 1906. We also guarantee the contents of this package, as originally filled, to be exempt from Internal Revenue Tax. National Fruit Products Co., Memphis, Tenn."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results, which are expressed as grams per 100 cc except where otherwise indicated:

Solids.....	15.63
Ash.....	.50
Alkalinity of soluble ash (cc N/10 acid per 100 cc).....	18.4
Reducing sugar as dextrose.....	10.07
Nonsugar solids.....	5.56
Sugar in solids (per cent).....	64.42
Lead precipitate.....	Very heavy.
Sodium benzoate.....	.07
Total acid.....	.57
Volatile acid.....	.29
Fixed acid.....	.32
Pentosans.....	.19
Total phosphoric acid (mg per 100 cc).....	100.5

Alcohol.....	6.61
Glycerin.....	.46
Saccharin.....	Very pronounced.

Adulteration of the product was alleged in the information for the reason that a substance, to wit, a compound cider prepared from apple juice, starch sugar, saccharin, and benzoate of soda, had been substituted wholly or in part for the article which purported to be apple cider, and for the further reason that the said substance just mentioned had been so mixed with and added to the article of food as to reduce, lower, and injuriously affect its quality. It was alleged in the information that the product was misbranded in that—

(1) The following statement borne on the label: "Apple Cider," was false and misleading because it conveyed the impression that the product was genuine apple cider, whereas, in fact, it was a compound cider, prepared from apple juice, starch sugar, saccharin, and benzoate of soda.

(2) In that said product was labeled and branded: "Apple Cider," thereby purporting that it was apple cider, whereas, in truth and in fact, it was a compound cider prepared from apple juice, starch sugar, and benzoate of soda.

(3) In that the label contained the following statement: "Fortified with sugar," which said statement was false and misleading, because it conveyed the impression that the product was fortified with cane sugar, whereas, in fact, it was fortified with starch sugar.

(4) In that it was labeled and branded so as to deceive the purchaser, being labeled and branded: "Fortified with sugar," thereby purporting that the product was fortified with cane sugar, whereas, in truth and in fact, it was fortified with starch sugar.

(5) In that the label contained the statement: "Conforms to the provisions of the Food and Drugs Act, as passed by Congress June 30, 1906," which was false and misleading because the product did not conform to the provisions of said Food and Drugs Act as passed by Congress June 30, 1906.

(6) In that said label on the article bore the statement: "Conforms to the provisions of the Food and Drugs Act as passed by Congress June 30, 1906," which was calculated to deceive and mislead the purchaser, whereas it did not conform to the provisions of the Food and Drugs Act as passed by Congress June 30, 1906.

(7) In that it was an alcoholic beverage, containing approximately 6.61 per cent alcohol, and the label did not state the presence of and quantity of alcohol.

On November 13, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25, with costs of \$15.85.

When the case was reported for prosecution, no charge of misbranding was made on account of the presence of undeclared alcohol in the product.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., February 4, 1914.

2841. Adulteration and misbranding of oil of cassia. U. S. v. Lehn & Fink. Tried to a jury. Verdict of guilty. Fine, \$150. Second offense. (F. & D. No. 3880. I. S. No. 12240-d.)

On August 6, 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 Lehn & Fink, a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on May 12, 1911, from the State of New York into the State of Texas, of a quantity of oil of cassia which was adulterated and misbranded. The product was labeled: "1 lb. O. L. Cinnamoni Oil Cassia U. S. P. Serial No. 2. Lehn & Fink, distillers and importers of essential oils New York."