

3929. Adulteration and misbranding of so-called ginger brandy. U. S. v. The Mihalovitch Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 5385. I. S. No. 18756-d.)

On March 24, 1914, 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 Mihalovitch Co., a corporation, Cincinnati, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 28, 1912, from the State of Ohio into the State of Pennsylvania, of a quantity of so-called ginger brandy which was adulterated and misbranded. The product was labeled: "Ginger Brandy (Internal-Revenue stamp) 3290513—T. J. Lee, U. S. Gauger, 1st Dist. O.—May 28, 1912. Ginger Brandy. Guaranteed * * * * * June 30, 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Sucrose, Clerget (per cent).....	13.8
Glucose	0.0
Alcohol (per cent by volume).....	27.0
Methyl alcohol.....	0.0
Total solids (grams per 100 cc).....	17.5
Ginger test: Positive.	
Capsicum test: Negative.	
Artificial color.....	0.0
Furfural.....	0.0
Fusel oil (parts per 100 liters, 100° proof).....	1.6

Adulteration of the product was alleged in the information for the reason that neutral spirits, sugar, and ginger had been substituted wholly or in part therefor. Misbranding was alleged for the reason that the statement "Ginger Brandy," borne on the label of the article, was false and misleading because it misled and deceived the purchaser into the belief that said article was ginger brandy, whereas, in truth and in fact, said article of food was not ginger brandy, but was a mixture of neutral spirits, sugar, and ginger.

On October 23, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., June 8, 1915.