

6310. Adulteration and misbranding of so-called cider. U. S. * * * v. C. H. Bickart, J. J. Baxter, Ira B. Harkey, and G. H. Weil, copartners (Jackson Vinegar Co.). Pleas of guilty. Fine, \$40. (F. & D. No. 5564. I. S. Nos. 35851-35853-e, 36260-e.)

On May 11, 1915, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against C. H. Bickart, J. J. Baxter, Ira B. Harkey, and G. H. Weil, copartners, doing business under and by the firm name of Jackson Vinegar Co., Jackson, Miss., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 9, 1912 (four shipments), from the State of Mississippi into the State of Louisiana, of quantities of so-called cider which was adulterated and misbranded. The article was labeled in part, "Pure B. B. Brand Apricot," or "Blackberry Hot," or "Peach," or "Dark Grape," as the case might be.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Apricot.	Black- berry hot.	Peach.	Dark grape.
Specific gravity at 15°/15° C.....	1.0274	1.0381	1.0305	1.0358
Alcohol (per cent by volume).....	5.60	6.55	5.95	5.55
Solids by drying (grams per 100 cc).....	8.90	11.91	9.29	10.78
Nonsugar solids (grams per 100 cc).....	4.26	5.50	4.05	4.66
Reducing sugar as dextrose (grams per 100 cc).....	4.64	6.41	5.24	6.12
Ash (gram per 100 cc).....	.28	.33	.22	.29
Acid, as malic (gram per 100 cc).....	.72	.88	.38	.56
Benzoic acid, as sodium benzoate (per cent).....	.14	.24	.15	.17
Saccharin (per cent).....	.016	.009	.017	.012
Benzoic acid, qualitative.....	Present.	Present.	Present.	Present.
Saccharin, qualitative.....	Present.	Present.	Present.	Present.
Dextrin, qualitative.....	Present.	Present.	Present.	Present.
Caramel, qualitative.....	Present.	Present.	Present.	Present.
Sucrose.....	None.	None.	None.	None.
Color.....		Ponceau 3R		Ponceau 3R

The product consist of a hydroalcoholic solution of commercial glucose or commercial dextrose, other substances containing soluble solids, benzoic acid or sodium benzoate, saccharin, and caramel. The Blackberry Hot and Dark Grape also contain a coal-tar dye resembling Ponceau 3R.

Adulteration of the article in each shipment was alleged in the information for the reason (1) that saccharin had been mixed and packed therewith and substituted for sugar as a sweetening agent in such a manner as to reduce, lower, and injuriously affect its quality; (2) that a substance prepared from fermented apple product and starch sugar solution, containing alcohol and saccharin, had been substituted wholly or in part for a nonalcoholic beverage, sweetened with grape sugar, which the article was represented by its label to be; (3) that the article was artificially colored with caramel, or with caramel and coal-tar dye, as the case might be, in a manner whereby its inferiority was concealed; (4) that the article contained approximately 0.016 per cent of saccharin, or approximately 0.009 per cent of saccharin, or approximately 0.017 per cent of saccharin, or approximately 0.012 per cent of saccharin, an added poisonous and added deleterious ingredient, which might render the article injurious to health.

Misbranding of the article in each shipment was alleged for the reason that the statement, "The contents of this package as originally filled are guaranteed to be made from apples fortified with grape sugar (no distilled spirits, wine, fermented juice of grapes or other small fruits, or alcoholic liquors being added)," borne on the package,