

**6363. Adulteration and misbranding of blackberry cider, U. S. \* \* \* v. Atlantic Vinegar Co., a corporation. Judgment by default. Fine, \$500. (F. & D. No. 7780. I. S. No. 1329-1.)**

On March 9, 1917, the United States attorney for the Eastern District of Virginia, 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 Atlantic Vinegar Co., a corporation, Richmond, Va., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 4, 1915, from the State of Virginia into the State of South Carolina, of a quantity of an article labeled in part, "Velvet Blackberry Flavor," which was adulterated and misbranded.

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

Alcohol (per cent by volume)-----	6.8
Solids (grams per 100 cc)-----	2.34
Reducing sugar as invert before inversion (gram per 100 cc)---	.75
Reducing sugar as invert after inversion (gram per 100 cc)---	.76
Ash (gram per 100 cc)-----	.34
Esters as ethyl acetate (gram per 100 cc)-----	.026
Saccharin (gram per 100 cc)-----	.006
Benzoate of soda (gram per 100 cc)-----	.02
Color: Amaranth and Orange I.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a solution of saccharin, had been substituted in whole or in part for blackberry cider, which the article purported to be; and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was, to wit, a mixture composed in part of saccharin, benzoate of soda, and artificial coloring matter prepared in imitation of blackberry cider and was offered for sale and sold under the distinctive name of another article, to wit, blackberry cider. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 9, 1918, judgment by default was entered against the defendant company, and a fine of \$500 was imposed.

C. F. MARVIN, *Acting Secretary of Agriculture.*