United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 8001–8050.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 22, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8001. Adulteration and misbranding of apple cider base, apple cider, and apple base cider. U. S. * * * v. National Fruit Products Co. Plea of guilty. Fine, $500. (F. & D. No. 11429. I. S. Nos. 7777–p, 7778–p, 7779–p, 7780–p, 7781–p, 12048–p, 12049–p, 10709–p, 15326–p, 16142–r, 17580–r, 17583–r, 17584–r, 17636–r, 17637–r.)

On April 19, 1920, 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 defendant company, on or about December 14, 1917, January 4, 23, and 26, 1918, March 27, 1918, April 13 and 22, 1918, December 9, 1918, March 15, 1919, April 28, 1919, and May 6, 1919, from the State of Tennessee into the States of Georgia, Louisiana, Florida, and Texas, in violation of the Food and Drugs Act, as amended, of quantities of apple cider base, apple cider, and apple base cider, which were adulterated and misbranded. The articles were labeled in part, "Apple Cider Base Contains Apple Juice fermented with Corn Sugar and water. * * *. National Fruit Products Co. Memphis, Tenn.," "Apple Base Cider Contains Apple Juice fermented with Corn Sugar and water, Sweetened with Saccharine. Colored with Certified Colors. * * * National Fruit Products Co. Memphis, Tenn.," "Apple Cider Sweetened with Saccharine. Contains 1–10 of 1% Benzoate of Soda. * * * National Fruit Products Co.," and "Apple Cider 1–10 of 1% Benzoate Soda. Colored with Certified Colors. National Fruit Products Co. Memphis, Tenn."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the articles consisted essentially of a mixture of water, alcohol, glucose or corn sugar, and a small amount of some apple product sweetened with saccharin, except the apple cider in the shipment of February 5, 1919, which consisted of an apple product, glucose, alcohol, and water. The apple cider also contained benzoate of soda.

Adulteration of the article was alleged in the information with respect to the shipments of December 14, 1917, January 4, 23, and 26, 1918, April 22, 1918, March 15, April 28, and May 6, 1919, for the reason that saccharin had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality, and had been substituted in part for apple cider base or apple

base cider, which the article purported to be. Adulteration was alleged with respect to the shipment of February 5, 1919, for the reason that an article consisting of an apple product, glucose, alcohol, and water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality, and had been substituted in part for apple cider or apple base cider, which the article purported to be.

Misbranding of the article was alleged in the information with respect to the shipments of December 14, 1917, January 4, 23, and 26, 1918, and April 22, 1918, in that the statements "Apple Cider Base," "Apple Base Cider," and "Contains Apple Juice fermented with corn sugar and water," borne on the kegs containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser, in that they represented that said article contained as its principal constituent some product of apples, whereas, in truth and in fact, it consisted principally of a mixture of glucose and water sweetened with saccharin. Misbranding of the article was alleged with respect to the shipments of March 15, 1919, April 28, 1919, and May 6, 1919, for the reason that the article was labeled in conspicuous type "Apple Cider" so as to deceive and mislead purchasers into the belief that it was apple cider, whereas, in truth and in fact, it was not, but was a mixture of some apple product, glucose, water, saccharin, and benzoate of soda.

Misbranding was alleged with respect to the shipments of March 27, 1918, April 13, 1918, and December 9, 1918, for the reason that the article was an imitation of another article, to wit, cider, and was offered for sale and sold under the distinctive name of another article. Misbranding was alleged with respect to the shipment of April 13, 1918, in that it was an imitation of port, that is to say, apple cider colored so as to imitate port, and was offered for sale and sold under the distinctive name of another article. Misbranding was alleged with respect to the foregoing shipments in that the statement "Apple Cider" was false and misleading, and the article was labeled so as to deceive and mislead the purchaser, in that it represented to purchasers that it was apple cider, whereas, in truth and in fact, it was not. Misbranding was alleged with respect to the shipment of February 5, 1919, for the reason that it was labeled "Apple Cider" when it was not, and for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendant company entered a plea of guilty, and the court imposed a fine of $20 on each of the 25 counts, the total amount assessed being $500.

E. D. BALL, *Acting Secretary of Agriculture*

8002. Misbranding of cottonseed cake and cottonseed meal. U. S. * * * v. Apache Cotton Oil & Mfg. Co., a Corporation. Plea of guilty. Fine, $600. (F. & D. No. 11613. I. S. Nos. 11958-r, 11959-r, 11960-r, 11961-r, 11983-r, 11989-r.)

On March 24, 1920, the United States attorney for the Eastern District of Oklahoma, 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 Apache Cotton Oil & Mfg. Co., a corporation, Chickasha, Okla., alleging shipment by said defendant, on or about January 10, January 22, January 30, February 2, and February 7, 1919, in violation of the Food and Drugs Act, as amended, from the State of Oklahoma into the State of Kansas, of quantities of an article which was misbranded.

Examination of each shipment showed that the sacks bore no statement of the quantity of the contents.