

In forty-nine (49) instances notable amounts of foreign matter are present in samples offered as Coffee. This, of course, constitutes adulteration, and all these cases are judged to be adulterated in the sense that they contain foreign material, not declared by the vendor.

Among the defences set up by vendors of these articles the only one which can be recognized as having any validity is that many users of coffee prefer to have a small amount of chicory in their coffee, and have been known to complain of the unsatisfactory character (to them) of the article when it did not contain chicory. The retail dealer, claims that he is required to add a small percentage of chicory in order to please his customers, and he becomes so habituated to supplying coffee mixed with chicory that he frequently forgets to mention the presence of this substance.

This defence may be given some weight when a small percentage of chicory only is found. It is not, however, valid in law, and dealers must recognize that when coffee is asked for, only coffee should be supplied.

Of the Forty nine (49) samples in which foreign matter has been found, Nineteen (19) samples contain chicory only, and in the following (minimum) amounts. Owing to variability in the quality of chicory it is not possible to define exactly the amount added; and the amounts named below must be understood to mean that at least the percentage quoted has been added.

Containing	5	per cent	chicory	5	samples.
"	10	"	"	6	"
"	15	"	"	3	"
"	20	"	"	2	"
"	25	"	"	1	"
"	more than 25%	"	"	2	"

The defence referred to may perhaps be granted some force up to 5 or possibly up to 10 per cent, chicory; but it is certainly not to be taken seriously when more than 10 per cent of chicory is present, without statement of the fact, as in eight (8) samples noted.

Thirty samples (30) of the forty-nine judged to be adulterated, contain roasted cereals, with or without chicory, as an adulterant. It is certain that no purchaser of coffee wishes roasted grain or roasted peas to be mixed with the article. The amounts of foreign matter in these Thirty (30) samples are found to be as follows:

Roasted grains, with or without chicory—

at least	5	per cent	in	1	sample.
"	10	"	"	9	"
"	15	"	"	4	"
"	20	"	"	2	"
"	25	"	"	5	"
"	30	"	"	2	"
"	35	"	"	1	"
"	40	"	"	4	"
"	50	"	"	1	"
"	75	"	"	1	"

It has been clearly shown in many cases that the manufacturer supplied these articles to the retail vendor as mixtures or compounds, properly labelled; and at prices which could not but make the purchaser aware that he was dealing with a mixture. In all such cases, the responsibility rests with the retail vendor, who should have warned the customer that an article which was not pure coffee was being offered him. It would then remain for the purchaser to express his consent to the transaction, which would thus become legal. Otherwise, the purchaser is clearly defrauded, and the vendor makes himself *amenable* to a charge of selling adulterated goods.