

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 929, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF SPIRITS TURPENTINE.

On or about October 3, 1910, A. G. Belden & Co., New York City, shipped from the State of New York into the State of Connecticut two barrels of a drug product labeled "Pure Spirits Turpentine. E-33. R. E. B. 18-9-8." A sample from this shipment was procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to contain 3.5 per cent mineral oil. As the findings of the analyst and report thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, and liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Connecticut.

In due course a libel was filed in the District Court of the United States for the said district against the said two barrels of turpentine, charging the above shipment and alleging that the product so shipped was adulterated because it was sold and transported as pure spirits turpentine, a name recognized in the United States Pharmacopœia, when in truth and in fact said product differed from the standard of strength, quality, and purity as determined by the test laid down in said United States Pharmacopœia official at the time of investigation, because the product contained a large quantity of mineral oil. The libel further alleged that the product was misbranded because it was labeled "Pure Spirits Turpentine" when as a matter of fact it was not pure spirits turpentine, but a mixture of pure spirits turpentine and mineral oil, there being no statement upon the container

of the product indicating that it contained mineral oil, an adulterant, and praying seizure, condemnation, and forfeiture of the product.

Thereupon the above mentioned A. G. Belden & Co. entered their appearance as claimants for said two barrels of turpentine, and consented to the entry of a decree condemning and forfeiting the said two barrels of turpentine to the use of the United States, and directing the marshal of the said district to destroy said product, with the proviso, however, that the two barrels of turpentine in question should be delivered to the above-mentioned claimant upon the payment of all costs of these proceedings and upon the execution and delivery of a good and sufficient bond in the sum of \$100, conditioned that the said product should not be sold or otherwise disposed of contrary to law.

The costs having been paid and bond furnished in accordance with the terms of the above decree, the product was released to the claimants aforesaid.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *June 1, 1911.*

