

3348. Adulteration and misbranding of peppermint extract. U. S. v. Victor Gautier & Co. Plea of guilty. Fine, \$15. (F. & D. No. 5099. I. S. No. 14894-d.)

At the March, 1914, term of the District Court of the United States for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in said court an information against Victor Gautier & Co., a corporation, New York, N. Y., alleging the sale by said defendant, on September 10, 1911, under a guaranty to the effect that the article was not adulterated or misbranded within the meaning of the Food and Drugs Act of June 30, 1906, of a quantity of peppermint extract which was so adulterated and misbranded and which said article, on September 10, 1911, was shipped in interstate commerce by the purchaser thereof, from the State of New York into the State of Tennessee, in violation of the Food and Drugs Act. The product was labeled "Peppermint. Superfine Peppermint."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results: Oil, 0.2 per cent; capsicum, present; coal tar color, Naphthol Yellow S. Analysis showed the product to be a very dilute solution of peppermint oil reinforced with capsicum.

It was alleged in the information that the article, at the time of purchase from said defendant and at the time of shipment of the same in interstate commerce, was adulterated in that there was mixed and packed in said article, so as to reduce and lower and injuriously affect its quality and strength, another substance, to wit, a dilute alcoholic solution containing traces of peppermint oil, reinforced with capsicum and artificially colored. Misbranding was alleged for the reason that the label aforesaid, regarding said article and the ingredients and substances contained therein, was false and misleading in that said label would indicate that said article was a true peppermint extract, whereas, in truth and in fact, said article was not a true extract of peppermint, but was a dilute alcoholic solution containing traces of peppermint oil, reinforced with capsicum and artificially colored.

On April 13, 1914, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$15.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

3349. Misbranding of buchu gin. U. S. v. Victor Gautier & Co. Plea of guilty. Fine, \$15. (F. & D. No. 5100. I. S. No. 21247-d.)

At the March, 1914, term of the District Court of the United States for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in said court an information against Victor Gautier & Co., a corporation, New York, N. Y., alleging the sale by said defendant on April 20, 1912, under a guaranty to the effect that the article was not adulterated or misbranded within the meaning of the Food and Drugs Act of June 30, 1906, of a quantity of buchu gin which was misbranded, and which said article on April 20, 1912, was shipped by the purchaser thereof from the State of New York into the State of Maryland in violation of the Food and Drugs Act. The product was labeled: "Quality Guaranteed. Franklin Brand Buchu [&] Gin Compound. Victor Gautier & Co., Inc., New York. Caution. These goods are carefully prepared under the most modern and improved methods. Made from distilled gin and buchu leaves and is highly recommended."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it contained alcohol, no declaration of which appeared upon the label. There was no evidence of the presence of buchu in the product.

It was alleged in the information that at the time of said purchase, and at the time of the shipment in interstate commerce, the article was misbranded in that the statement on the label, "Buchu [&] Gin," regarding said article and ingredients and substances contained therein, was false and misleading, in that said words would indicate that buchu was present in said article, whereas, in truth and in fact, buchu was not present in said article.

On April 13, 1914, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$15.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

3350. Adulteration and misbranding of oil of pennyroyal. U. S. v. Arthur A. Stillwell & Co. Plea of guilty. Fine, \$15. (F. & D. No. 5141. I. S. No. 13354-d.)

At the March, 1914, term of the District Court of the United States within and for the Southern District of New York the United States attorney for the said district, acting upon a report by the Secretary of Agriculture, filed in said court an information against Arthur A. Stillwell & Co., a corporation, New York, N. Y., alleging shipment by said company in violation of the Food and Drugs Act, on April 3, 1912, from the State of New York into the State of Massachusetts, of a quantity of oil of pennyroyal which was adulterated and misbranded. The product was labeled: "Oil of Pennyroyal."

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

Specific gravity, 25°/25° C.....	0.9064
Optical rotation (degrees, 100 mm. tube).....	+16.8
Insoluble in 2 or 20 volumes of 70 per cent alcohol.	
Pulegone (per cent).....	56.5

Analysis shows the presence of petroleum in the oil.

Adulteration of the product was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, oil of pennyroyal, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of said shipment and investigation, in these particulars: The specific gravity of said article was lower than the specific gravity specified for oil of pennyroyal in said Pharmacopœia; said article was insoluble in 2 or more parts of 70 per cent alcohol, whereas said Pharmacopœia provides that said drug should be soluble in 2 or more volumes of 70 per cent alcohol. Misbranding was alleged for the reason that the aforesaid label regarding said drug and the ingredients and substances contained therein was false and misleading, in that said label would indicate that the said drug was pure oil of pennyroyal, whereas, in truth and in fact, said drug was not pure oil of pennyroyal, but contained in addition to oil of pennyroyal other inferior substance [substances], to wit, petroleum and turpentine.

On April 6, 1914, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$15.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*