

4598. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 50 Bottles and 55 Bottles * * * of alleged Aspirin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6914. I. S. Nos. 11520-1, 11521-1. S. Nos. C-350, C-351.)

On October 13, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 bottles, packed in 3 boxes, each bottle containing 500 alleged aspirin tablets, and 55 bottles, packed in 3 boxes, each bottle containing 1,000 of said tablets, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the 50 bottles had been shipped on September 22, 1915, and the 55 bottles on September 29, 1915, and transported from the State of Maryland into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that the strength and purity thereof, when it was so shipped as aforesaid, fell below the professed standard and quality under which it was sold, to wit, "Aspirin 5 gr.," in that the article of drug did not contain any quantity whatsoever of the article of drug known as aspirin.

Misbranding was alleged for the reason that each of the 50 bottles bore a statement in words and figures as follows, to wit: "500 Compressed Tablets Aspirin 5 Gr. Guaranteed by Burrough Bros. Mfg. Co. under the Food & Drug Act June 30, 1906. No. 2085 Burrough Bros. Mfg. Co. Chemists Baltimore, Md.," and each of the 55 bottles bore a statement in words and figures as follows, to wit: "Burrough 1000 compressed tablets Aspirin 5 gr. Burrough Bros. Mfg. Co. Baltimore, Md." which said statement "Aspirin 5 Gr.," purported to state that the article of drug was genuine aspirin, whereas, in truth and in fact, it was not genuine aspirin, but was an imitation of, and offered for sale under the name of, another article; to wit, genuine aspirin. Misbranding was alleged for the further reason that said labels purported to state the substances contained in the article of drug aforesaid, whereas, in truth and in fact, the article contained acetanilid, and the labels aforesaid failed to bear a statement of the quantity or proportion of the acetanilid contained in said article.

On November 4, 1915, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*