

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 183, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF POWDERED COLOCYNTH.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 7th day of October, 1909, in the District Court of the United States for the District of Maryland, judgment was rendered in the case of the United States *v.* Gilpin, Langdon & Company, Inc., a prosecution upon an information in substance charging said defendant corporation with having shipped from Baltimore, Md., to Cincinnati, Ohio, 3 pounds of a certain drug, which was then and there adulterated, in that it was then and there sold under a name, to wit, "Powdered Colocynth," recognized in the United States Pharmacopoeia and National Formulary, and then and there differed from the standard of strength, quality, and purity as determined by the test laid down therein, in this, that the standard of strength, quality, and purity as determined by said test requires that in colocynth ready for use the seeds should be separated and rejected, whereas, the colocynth shipped as aforesaid contained a mixture of pulp and seeds; and which said drug was misbranded in this, that the packages containing the same then and there bore a statement regarding the ingredients and the substances contained therein which was false and misleading for the reason that it represented said drug as consisting of powdered colocynth, whereas, in truth and in fact, said contents consisted of powdered colocynth mixed with a quantity of seeds.

On the aforesaid date the defendant pleaded guilty to the information, and the court imposed upon it a fine of \$25.

The facts on which the above prosecution was based were as follows:

On or about August 11, 1908, an inspector of the United States Department of Agriculture purchased a sample of the drug hereto-

fore described from Theodore Rosenthal, Eighth and Vine streets, Cincinnati, Ohio, which sample was contained in a consignment of said drug shipped to said dealer from Baltimore, Md., by Gilpin, Langdon & Company. This sample was analyzed in the Bureau of Chemistry of the United States Department of Agriculture and found to consist of the entire fruit, pulp, and seeds, ground. The analysis having disclosed an adulteration and a misbranding of the drug, the said Theodore Rosenthal and the said Gilpin, Langdon & Company were duly notified of said charges, and were given an opportunity to be heard, and were heard, in regard to said adulteration and misbranding; whereupon, it having appeared that there had been a violation of the act, the Secretary of Agriculture, on July 28, 1909, reported the facts to the Attorney-General; the case was then referred to the United States Attorney for the District of Maryland, who filed an information against the said Gilpin, Langdon & Company, Inc., with the results hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 28, 1910.*

