

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 293, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF ESSENCE OF WINTER-GREEN.

On or about April 17, 1909, Dallemand & Co., Chicago, Ill., shipped from the State of Illinois to the State of Michigan a consignment of product labeled: "Essence of Wintergreen Guaranteed under the Food and Drugs Act, June 30, 1906." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report thereon that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded Dallemand & Co., and the dealer from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, with a statement of the evidence upon which to base a prosecution. In due course, a criminal information was filed in the District Court of the United States for the Northern District of Illinois, charging the above shipment and alleging that the product was adulterated within the meaning of the act, in that a dilute preparation of wintergreen containing less than one-half the necessary amount of wintergreen had been substituted for essence of wintergreen of full strength, and was artificially colored in a manner to conceal its inferiority; and was misbranded, in that it was labeled "Essence of Wintergreen," which statement was false and misleading, in that it gave the impression that the product was a pure essence of wintergreen of full strength, whereas, it was, in fact, a dilute preparation of wintergreen containing less than one-half the necessary amount of wintergreen, and was artificially colored in imitation of essence of wintergreen of full strength.

On December 31, 1909, the defendant entered a plea of guilty and the court imposed upon it a fine of \$10.

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., *April 14, 1910.*