

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 539, FOOD AND DRUGS ACT.

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#### ADULTERATION AND MISBRANDING OF TURPENTINE.

On or about June 11, 1909, the Gulf Manufacturing Company, Limited, a corporation, New Orleans, La., shipped from the State of Louisiana to the State of Texas a consignment of alleged spirits of turpentine, the packages containing which each bore the following label: "Crescent brand spirits of turpentine. Guaranteed by Gulf Manufacturing Company, Ltd., under the Food and Drugs Act of June 30, 1906, Gulf Manufacturing Company, Ltd., New Orleans, La."

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 the Gulf Manufacturing Company, Limited, and the party from whom the samples were procured, opportunities for hearings. As it appeared after hearings held that the said 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 Circuit Court of the United States for the Eastern District of Louisiana charging the above shipment, and alleging that the product so shipped was adulterated, in that mineral oil had been added to the so-called turpentine, and that the product differed from the standard of strength, quality, and purity of oil of turpentine as determined by the test laid down in the United States Pharmacopœia or National Formulary official on the date of said shipment, the words "Spirits of Turpentine" occurring in the label above set forth being synonymous with and used indiscriminately in this country to designate

the same drug as the name oil of turpentine just mentioned; and in that the strength and purity of said product fell below the professed standard and quality indicated by the label aforesaid; and further alleging that the product was misbranded, in that the label above set forth was false and misleading, and such as to deceive the purchaser into believing that the contents of said packages were pure spirits of turpentine, whereas in truth and in fact said contents were not pure spirits of turpentine but a mixture of spirits of turpentine with mineral oil; and in that said label was meant and intended and calculated to convey, and did convey, the impression that the said drug was pure spirits of turpentine, which was false, since the said drug was a mixture of spirits of turpentine and mineral oil; and in that the product was an imitation and offered for sale under the distinctive name of another article, to wit, spirits of turpentine, which it was then and there represented to be by the label, though in truth and in fact it was not spirits of turpentine for the reason that mineral oil had been mixed therewith.

On June 29, 1910, the defendant entered a plea of guilty to the above information, and the court imposed a fine of \$10 and costs.

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

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *July 29, 1910.*

