

Issued May 14, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1339.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION AND MISBRANDING OF PINK ROOT.

At the March term, 1911, of the United States District Court for the Western District of Kentucky the United States Attorney for said district, acting upon a report by the Secretary of Agriculture, filed information in said court against Isaac Rosenbaum & Sons, alleging shipment by them, in violation of the Food and Drugs Act, on or about April 25, 1910, from the State of Kentucky into the State of Minnesota of a drug product denominated "Pink Root" which was adulterated and misbranded. The only label borne by said product was a tag reading "21264 Isaac Rosenbaum & Sons. Pink Root."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed that the product did not consist of pink root, that is, the rhizome or roots of *Spigelia marilandica* Linné, but that it was the rhizome and roots of an entirely different plant. Adulteration was alleged for the reason that the product was sold under a name recognized in the United States Pharmacopœia, but differed from the standard of strength, quality, and purity laid down therein, and the label contained no statement as to the standard of quality or purity of said product. Misbranding was alleged for the reason that the product was labeled "Pink Root," which represented it to conform to the standard prescribed by the United States Pharmacopœia when in fact it was not pink root but an unidentified substitute for said product, and therefore said representation was false and misleading and calculated to mislead and deceive the purchaser.

On September 19, 1911, the defendants pleaded guilty, and the court imposed a fine of \$10 and costs.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 27, 1912.*