

**3547. Adulteration and misbranding of oil of sandalwood. U. S. v. Hymes Bros. Co. Plea of guilty. Sentence suspended. (F. & D. No. 5535. I. S. No. 4181-e.)**

On June 15, 1914, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hymes Bros. Co., a corporation, New York, N. Y.; alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 15, 1912, from the State of New York into the State of North Carolina, of a quantity of oil of sandalwood which was adulterated and misbranded. The product was labeled: "Trade Mark Purity (Picture of pelican) Quality Excellence Oil Sandalwood E. I. Essential Oils, Hymes Bros. Co. Vanilla Beans. Importers and Manufacturers New York U. S. Serial No. 18750. Guaranteed under the Food and Drugs Act, June 30, 1906."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity.....	0.966
Optical rotation (degrees).....	—23.1
Chlorin products: Absent.	
Insoluble in 5 to 10 volumes of 70 per cent alcohol.	
Santalol (per cent).....	76.9
Saponification No. ....	7.7

Adulteration of the product was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity, as determined by the test laid down in said Pharmacopœia official at the time of investigation of the article, in that the said Pharmacopœia specifies that said article shall contain not less than 90 per cent santalol, and shall be soluble in 5 volumes of 70 per cent alcohol, whereas, in truth and in fact, said article of drugs contained less than 90 per cent of santalol, and was not soluble in 5 volumes of 70 per cent alcohol, and its own standard of strength, quality or purity was not stated on the bottle, box or other container in which the said article was offered for sale. Misbranding was alleged for the reason that the statement "Oil Sandalwood," appearing on the label regarding said article and the ingredients and substances therein contained, was false and misleading, in that it indicated that the said article was oil of sandalwood conforming to the standard prescribed in the United States Pharmacopœia for such article, whereas, in truth and in fact, the said article was not an oil of sandalwood conforming to the said standard prescribed in the United States Pharmacopœia, but was an oil of sandalwood of a lower standard.

On June 29, 1914, the defendant company entered a plea of guilty to the information, and the court suspended sentence.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., January 13, 1915.