

4479. Adulteration and misbranding of oil of cassia. U. S. v. The Hymes Bros. Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 6566. I. S. No. 3509-h.)

On November 8, 1915, 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 The Hymes Bros. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on May 12, 1913, from the State of New York into the State of New Jersey, of a quantity of oil of cassia which was adulterated and misbranded. The article was labeled: (Small sticker) "1 lb. Net Wgt." (Main label) "Trade Mark Purity Quality Excellence Oil Cassia Hymes Bros. Co. Importers and Manufacturers New York Essential Oils, Drugs, Vanilla Beans, Chemicals. U. S. Serial No. 18750, Guaranteed Under The Food and Drugs Act, June 30, 1906."

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

Specific gravity 15.6° C/15.6° C-----	1.0429
Optical rotation (circular degrees) (100 mm. 20° C)-----	3.90
Cinnamic aldehyde (per cent by volume)-----	64.2
Lead (parts per million)-----	630
Hydrogen sulphid test: Very heavy precipitate.	
Test of rosin: Positive.	
Solubility in 2 volumes of 70 per cent alcohol: Negative	

Adulteration of the article considered as a drug 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 tests laid down in said Pharmacopœia official at the time of investigation of the article, in these particulars, to wit: the specific gravity of said drug at 25° C. was below 1.045 and was in fact 1.0429, whereas said Pharmacopœia provides as a test for oil of cassia that a specific gravity at 25° C. shall be between 1.045 and 1.055; and that the rotation of said drug was more than one degree and was in fact +3.90°, whereas said Pharmacopœia provides that the rotation of said drug shall not be more than one degree; that said drug contained 64.2 per cent [by volume] of cinnamic aldehyde, whereas said Pharmacopœia provides that it should contain not less than 75 per cent [by volume]; and that said drug contained rosin and lead which are not ingredients of oil of cassia, as determined by the tests laid down in said Pharmacopœia.

Adulteration of the article considered as a food was alleged for the reason that substances, to wit, rosin and lead, had been mixed and packed with the article so as to reduce or lower and injuriously affect its quality and strength, and had been substituted in part for pure oil of cassia which the article purported to be, and for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, lead, which might render it injurious to health.

Misbranding of the article considered as a drug was alleged for the reason that the statement, to wit, "Oil Cassia," regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated that the drug was a pure oil of cassia, which is a drug well known to be distilled from cassia and cinnamon and entirely free from rosin and lead, whereas, in truth and in fact, the said drug was not a pure oil of cassia but was an oil of cassia which contained rosin and lead.