

4624. Adulteration and misbranding of aspirin. U. S. * * * v. 48 Bottles * * *, 120 Bottles * * *, and 105 Bottles * * * of Aspirin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6964. I. S. Nos. 11249-1, 11250-1, 11251-1, 11252-1. S. No. C-369.)

On October 30, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 bottles, each containing 1,000 five-grain tablets; 120 bottles, each containing 500 five-grain tablets; and 105 bottles, each containing 100 five-grain tablets, of an article purporting to be aspirin, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the 48 bottles had been shipped on September 23 and 30, 1915, the 120 bottles on March 27, April 7 and 27, and May 1 and 26, 1915, and the 105 bottles on or about April 27 and 29 and May 27, 1915, and transported from the State of Maryland into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drug Acts.

The 48 bottles were labeled. "R Burrough 1000 Compressed Tablets Aspirin 5 Gr. Burrough Bros. Mfg. Co. Baltimore, Md." The 120 bottles were labeled: "500 Compressed Tablets Aspirin 5 Gr. Guaranteed by Burrough Bros. Mfg. Co. under the Food & Drugs Act, June 30, 1906. No. 2085 Burrough Bros. Mfg. Co. Chemists Baltimore, Md." The 105 bottles were labeled: "R Burrough 100 Compressed Tablets Aspirin 5 Grains Burrough Bros. Mfg. Co. Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it was a mixture of acetanilid, salicylic acid, sugar, starch, and inorganic salts, with little or no aspirin or acetylsalicylic acid present.

Misbranding was alleged for the reason that the article was sold under the distinctive name of another article, and for the further reason that the presence of acetanilid was not declared.

On March 16, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*