

**4918. Adulteration and misbranding of acid acetylo salicylic. U. S. * * *
v. 50 Packages of Acid Acetylo Salicylic. Default decree of con-
demnation, forfeiture, and destruction. (F. & D. No. 7016. I. S. No.
11004-1. S. No. C-379.)**

On November 13, 1915, the United States attorney for the Southern District of Mississippi, 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 50 one-pound packages of acid acetylo salicylic, remaining unsold in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped on or about October 22, 1915, by the Bagby-Howe Co., Louisville, Ky., and transported from the State of Kentucky into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "One pound Acid Acetylo Salicylic Chemische Fabrik Vorm Bohenzoller Breslau."

Adulteration of the article was alleged in the libel for the reason that the strength and purity fell below the professed standard and quality under which it had been and was intended to be sold.

Misbranding was alleged for the reason that the packages in which the article was contained bore a statement that it was acid acetylo salicylic, which said statement was false and misleading in that the substance was not, in truth and in fact, acid acetylo salicylic, but was composed chiefly of milk sugar, acetanilid, salicylic acid, potassium bitartrate, and contained practically no acid acetylo salicylic. Misbranding was alleged for the further reason that the article was in imitation of and offered for sale under the name of another and different drug, to wit, acid acetylo salicylic. Misbranding was alleged for the further reason that the article contained a certain drug, to wit, acetanilid, and the package in which it was packed did not bear thereon a statement showing on the label thereon the quantity or proportion of acetanilid therein contained.

On March 15, 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.

R. A. PEARSON, *Acting Secretary of Agriculture.*