

**5809. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 19 Barrels \* \* \* of Gelatin. Consent decree of condemnation, forfeiture, and destruction. Product ordered released on bond. (F. & D. No. 8275. I. S. Nos. 10646-m, 10647-m. S. No. C-693.)**

On June 22, 1917, the United States attorney for the Northern District of Illinois, 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 19 barrels of gelatin, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on May 5, 1917, and May 16, 1917, by L. R. Burch & Co., New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it was composed of a certain substance, to wit, glue, which said substance, containing excessive amounts of zinc, had been substituted for "Pure Food Gelatin," which the article purported to be, and further for the reason that the article contained an added poisonous and deleterious ingredient, to wit, zinc, which might render such article injurious to health.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Pure Food Gelatin." Misbranding of the article was alleged for the further reason that it was in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On August 17, 1917, the said L. R. Burch & Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant on the payment of costs of proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article should be relabeled under the supervision of the United States marshal and a representative of this department, as follows: "Not to be used for food or for the manufacture of food articles."

*CARL VROOMAN, Acting Secretary of Agriculture.*