

5954. Adulteration and misbranding of gelatin. U. S. * * * v. 58 Barrels * * * of Alleged Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8277. I. S. No. 10644-m. S. No. C-696.)

On June 25, 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 58 barrels of alleged gelatin, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about April 11, 1917, by T. M. Duche & Sons, 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. The article was invoiced as pure food gelatin.

Adulteration of the article was alleged in substance in the libel for the reason that a certain substance, to wit, glue, containing excessive amounts of zinc and copper, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted for pure food gelatin, which the article purported to be; and for the further reason that it contained added poisonous and deleterious ingredients, to wit, zinc and copper, 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.

On October 6, 1917, Charles Townsend & Bro., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the costs of the 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 a representative of this department in the following manner: "Not to be used for food or for the manufacture of food articles."

CARL VROOMAN, *Acting Secretary of Agriculture.*