

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 1288.

(Given pursuant to section 4 of the Food and Drugs Act.)

### ALLEGED ADULTERATION OF SAFFRON.

On August 28, 1911, the United States Attorney for the Southern District of New York filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of four cases of saffron in the possession of the Metropolitan Steamship Co. The cases containing said article bore the following marks:

Marked—	Weighing—
1 case "HBC"-----	31½ kilos
1 case "PEAC"-----	100 kilos
2 cases "SGO"-----	204 kilos

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Ash (per cent)-----	24.42
Potassium -----	Present
Nitrates -----	Present
Boric acid -----	Present
Tartaric acid -----	Indicated
Potassium nitrate (per cent)-----	10.47
Borax (per cent)-----	9.90
Excess potassium as potassium tartrate (per cent)---	13.33

The libel alleged that the saffron, after shipment by William M. Proctor Co., of Boston, Mass., into the State of New York, consigned to Buhl Mills Co., remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it contained a poisonous and deleterious substance which rendered said article injurious to health, to wit, potassium nitrate, and that the product was therefore liable to seizure for confiscation.

On October 7, 1911, the case coming on for hearing and the Buhl Mills Co. having appeared as claimant, the court entered a decree condemning and forfeiting the product to the United States as being

misbranded, and ordering it to be sold by the marshal, but with the proviso that the product should be released to claimant, upon the payment of all costs, and the execution of a good and sufficient bond in the sum of \$1,000, conditioned that said product should not be disposed of contrary to law; and shall be exported and landed without the limits of the United States.

It is to be noted that while the investigations of the Department of Agriculture showed that the product was adulterated in that potassium nitrate had been mixed and packed with it so as to reduce or lower or injuriously affect its quality and also in that potassium nitrate had been substituted wholly or in part for the article, and that while it was alleged in the libel that the article was adulterated in that it contained potassium nitrate, a poisonous and deleterious substance which renders the article injurious to health, the court by its decree found the product "misbranded as alleged in the libel herein," but there was no finding by the court that the product was adulterated; nor does the department maintain that potassium nitrate is a poisonous or deleterious substance.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 20, 1912.*