

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2336.

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

ADULTERATION AND MISBRANDING OF LINSEED OIL.

On October 5, 1911, the United States Attorney for the District of Kansas, 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 1 barrel of linseed oil remaining unsold in the original unbroken package and in possession of C. H. Cain, Tonganoxie, Kans., alleging that the product had been shipped on or about March 20, 1911, by the Gatlin Manufacturing Co., Kansas City, Mo., and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Storm Proof Lead and Oil Company, Kansas City, Missouri, Improved Pioneer Brand Linseed Oil, Raw."

Adulteration of the product was alleged in the libel for the reason that 50 per cent thereof was foreign mineral oil and was purchased as pure linseed oil for the purpose of sale as such pure linseed oil of the standard strength, quality, and purity as determined by the test laid down in the United States Pharmacopœia or National Formulary. Misbranding was alleged for the reason that the product was labeled as set forth above, it being intended by said label and quotation to publish and have it understood that the product was pure linseed oil, raw, manufactured within and under the restrictions of the Pure Food and Drugs Act, whereas, in fact, it contained only 50 per cent of pure linseed oil, the remaining 50 per cent being foreign mineral oil, and said label and quotation was false and misleading.

On January 8, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be sold by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *March 3, 1913.*

