

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2749.

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

U. S. v. Magnus, Mabee & Reynard. Plea of guilty. Fine, \$100.

ADULTERATION AND MISBRANDING OF OIL OF SAVIN.

On August 6, 1912, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Magnus, Mabee & Reynard, a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on June 27, 1911, from the State of New York into the State of Pennsylvania, of a quantity of oil of savin which was adulterated and misbranded. The product was labeled: "Oil Savin. Magnus & Lauer, N. Y. U. S. Serial 1245. 4 oz. net weight."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 25°/25° C., 0.9355; sabenylacetate, 28.78 per cent; solubility in 90 per cent alcohol, OK; optical rotation, 35.16°; alcohol, none.

Adulteration of the product was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia or National Formulary, and differed from the standards of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia official at the time of investigation, and the standard of strength, quality, and purity of said article was not stated upon the bottle, box, or container thereof. Misbranding was alleged for the reason that the package and label of the article bore a statement, to wit, "Oil of savin", regarding it and the ingredients and substances contained therein, which was false and misleading, because said statement created the impression that the product was an oil of savin of standard quality, strength, and purity, whereas, in truth and in fact, it was oil of savin adulterated with a substance which was not oil of savin.

On May 22, 1913, the defendant company entered a plea of guilty to the information and the court, on May 23, 1913, imposed a fine of \$100.

C. F. MARVIN,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 15, 1913.*

