

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2750.

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

U. S. v. Magnus, Mabee & Reynard. Plea of guilty. Fine, \$50.

ADULTERATION AND MISBRANDING OF OIL OF CASSIA; ADULTERATION OF OIL OF ANISE.

On February 28, 1913, 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— .

(1) Of a quantity of oil of cassia which was adulterated and misbranded. The product was labeled: "Importers and Manufacturers Purity and Strength, Oil Cassia. Magnus & Lauer New York, U. S. A. Packed for Shipley, Massingham Co., Pittsburg, Pa. Serial No. 1245. 4 ozs. 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° C., 1.0608; assay for cinnamic aldehyde, 73.0 per cent; rotation in 100 millimeters, +10.68°; lead, present; nonvolatile residue, 22.9 per cent; lead acetate test for resins, positive; copper acetate test, positive; Lieberman Storch reaction, positive; rosin, present; not completely soluble in 2 volumes of 70 per cent alcohol. 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, to wit, oil of cassia, but differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia official at the time of shipment and investigation, in that its specific gravity at 25° C. was more than 1.055, whereas said Pharmacopœia provides that the specific gravity of oil of cassia at 25° C. shall be between 1.045 and 1.055; said drug contained rosin and lead, which are not ingredients of oil of cassia as determined by the test laid down in said Pharmacopœia, and contained less than 75 per cent by volume of cinnamic aldehyde, to wit, 73 per cent, whereas said Pharmacopœia provides as a test for oil of cassia that it shall contain not less than 75 per cent by volume of cinnamic aldehyde; the rotation of the product was more than one degree when viewed through a 100-millimeter tube, to wit, 10.68°, whereas said Pharmacopœia provides that its rotation when viewed through a 100-millimeter tube shall not be more than one degree; and said drug was not soluble in 2 volumes of 70 per cent alcohol, whereas said Pharmacopœia provides as a test therefor that it shall be soluble in 2 volumes of 70 per cent alcohol. Adulteration was alleged for the further reason that a certain substance other than oil of cassia, to wit, rosin, had been mixed and packed therewith in such a manner as to reduce, lower, and injuriously affect its quality and strength, and in that a certain substance other than oil of cassia, to wit, rosin, had been substituted in part for the article, and in that said article contained an added poisonous and deleterious ingredient, to wit, lead, which might render it injurious to health. Misbranding was alleged for the reason that the label set forth above regarding the product and the ingredients and substances contained therein was false and misleading in that it would indicate that the drug was oil of cassia, whereas it was not oil of cassia, but was a mixture of oil of cassia and rosin.

(2) Of a quantity of oil of anise which was adulterated. This product was labeled: "Importers and Manufacturers, Purity and Strength. Oil Anise. Magnus & Lauer, 92 Pearl St., New York, U. S. A. Packed for Shipley, Massingham Co., Pittsburg, Pa. Serial No. 1245. 4 oz. net weight."

Analysis of a sample of the product by the said Bureau of Chemistry showed the following results: Specific gravity at 25° C., 0.9700; rotation at 21° C., +0.28°; congealing point, 11.9° C.; ferric chlorid test, negative; phenols, absent; soluble in 1 volume of 95 per cent alcohol and in 5 volumes of 90 per cent alcohol. 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, to wit, oil of anise, and differed from the standard of strength, quality, and purity as determined by the test laid down in

said Pharmacopœia official at the time of shipment and investigation in that it was not lævogyrate but was dextrogyrate, whereas said Pharmacopœia provides as a test for oil of anise that it shall be lævogyrate; its congealing point was below 15° C. and was in fact 11.9° C., whereas said Pharmacopœia provides that its congealing point shall not be below 15° C.

On May 22, 1913, the defendant company entered a plea of guilty to the information, and on May 23 the court imposed a fine of \$50.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 18, 1913.*