

3669. Adulteration and misbranding of gelatin. U. S. v. 1 Barrel of Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 5804. I. S. No. 27717-h. S. No. C-61.)

On July 6, 1914, the United States attorney for the District of Minnesota, 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 gelatin, remaining unsold in the original unbroken package at Stillwater, Minn., alleging that the product had been shipped on June 19, 1914, and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled "From Clarkson Gelatine Works 33rd St. and Shields Ave. Chicago, Ill. Caution to customers: If shipment is damaged refuse to accept until agent makes notation on freight bill. Attention Agent: If shipment is refused notify us at once. To N. Starkel, Stillwater, Minn."

Adulteration of the product was alleged in the libel for the reason that it contained added poisonous or deleterious ingredients which might render said article injurious to the health, that is to say, said gelatin contained 110 parts per million of copper and 742 parts per million of zinc, and further, in that certain substances, to wit, sugar in the amount of 4.94 per cent and sodium bicarbonate in the amount of 1.1 per cent, had been mixed and packed with the article, to wit, gelatin, so as to reduce, lower and injuriously affect its quality and strength, and further, in that certain substances, to wit, sugar in the amount of 4.94 per cent and sodium bicarbonate in the amount of 1.1 per cent, had been substituted in part for the article, to wit, gelatin. Misbranding was alleged for the reason that the product, which in fact contained a mixture of sugar, sodium bicarbonate, copper and zinc, in the respective amounts hereinbefore stated, was in [an] imitation of and offered for sale under the distinctive name of another article, to wit, gelatin.

On September 14, 1914, the Clarkson Gelatine Works, Chicago, Ill., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be restored to the said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$100, in conformity with section 10 of the act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 26, 1915.*