

5038. Adulteration and misbranding of "Fluid Extract for Mistra' Vegetal Compound." U. S. * * * v. Antonio Valsecchi. Plea of guilty. Fine, \$5. (F. & D. No. 6901. I. S. No. 17841-k.)

On June 22, 1916, 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 Antonio Valsecchi, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 15, 1915, from the State of New York into the State of Utah, of a quantity of an article labeled in part, "Fluid Extract for Mistra' Vegetal Compound," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

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| Ethyl alcohol (per cent by volume)_____ | 1.6 |
| Methyl alcohol (per cent by volume)_____ | 75.5 |
| Essential oil (per cent by volume)_____ | 23.4 |
| Total solids (mostly resinous matter from essential oil) | |
| (grams per 100 cc)_____ | 4.0 |

Qualitative tests indicate that the essential oil consists of a mixture of oil of fennel and oil of anise; product is essentially a solution of oil of fennel and oil of anise in methyl alcohol.

Adulteration of the article was alleged in the information for the reason that a certain substance—to wit, methyl alcohol—had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that the article contained an added poisonous and deleterious ingredient—to wit, methyl alcohol—which might render it injurious to health.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 13, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*