

6416. Adulteration of pipsissewa. U. S. * * * v. A. Robinson McIlvaine, Herbert R. McIlvaine, and Donald McIlvaine (McIlvaine Bros.). Pleas of guilty. Fine, \$25. (F. & D. No. 8556. I. S. No. 5420-m.)

On January 15, 1918, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. Robinson McIlvaine, Herbert R. McIlvaine, and Donald McIlvaine, doing business as McIlvane Bros., Philadelphia, Pa., alleging shipment by said defendants, in violation of the Food and Drugs act, on or about June 12, 1917, from the State of Pennsylvania into the State of New Jersey, of a quantity of an article labeled in part, "Pipsissewa," which was adulterated.

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

	Pounds.	Ounces.
Leaves -----	2	11.1
Stems -----	2	9.1
Total -----	5	4.2
Stems (per cent)-----		48.8

Sample is not the pipsissewa (*Chimaphila*) of the National Formulary, IV Edition, which specifies the leaves accompanied by not more than 5 per cent of stems.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary, and differed from the standard [of] strength, quality, and purity, as determined by the tests laid down by the said National Formulary, official at the time of investigation of the article, in that it contained approximately 48 per cent of stems, whereas the National Formulary, official at the time of investigation of the article, provided that pipsissewa should contain not more than 5 per cent of stems or other foreign matter.

On January 29, 1918, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*