

## United States Department of Agriculture

### FOOD AND DRUG ADMINISTRATION

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

17751-17800

[Approved by the Secretary of Agriculture, Washington, D. C., May 25, 1931]

**17751. Adulteration and misbranding of fluid extract of ginger. U. S. v. 10 Cartons of Ginger Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24853. I. S. No. 014215. S. No. 3194.)**

Examination of samples of fluid extract of ginger from the herein-described interstate shipment having shown that the article did not meet the requirements of the United States Pharmacopoeia, since it contained castor oil, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Texas.

On June 23, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel, and subsequently an amended libel, praying seizure and condemnation of 10 cartons, each containing 6 dozen 2-ounce bottles of fluid extract of ginger, remaining in the original unbroken packages at Tyler, Tex., alleging that the article had been shipped by the De Lux Packing Co., Brooklyn, N. Y., February 6, 1930, and had been transported from the State of New York into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Fluid Extract of Ginger U. S. P."

Analysis of a sample of the article by this department showed that the product contained castor oil and but a small proportion of material derived from ginger.

It was alleged in substance in the libel as amended that the article was adulterated in that it was sold under a name recognized by the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopoeia.

Misbranding was alleged for the reason that the statement on the bottle label, "Fluid Extract of Ginger U. S. P.," was false and misleading, and for the further reason that the article was an imitation, and was offered for sale under the name of another article.

On October 7, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17752. Adulteration and misbranding of fluid extract of ergot, tincture cinchona compound, tincture nux vomica, tincture belladonna, fluid extract of belladonna leaves, and tincture cinchona. U. S. v. C. F. Sauer Co. Plea of guilty. Fine, \$25. (F. & D. No. 25005. I. S. Nos. 03308, 03311, 04102, 04104, 04105, 04114.)**

Examination of samples of drugs from the herein-described interstate shipments having shown that the said samples did not conform to the United States Pharmacopoeia, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Virginia.