

**4238. Adulteration and misbranding of coumarin. U. S. * * * v. 200
Cans * * * of Coumarin. Consent decree of condemnation and
forfeiture. Product ordered released on bond. (F. & D. No. 6531.
I. S. No. 15047-k. S. No. C-228.)**

On May 12, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on June 5, 1915, an amended libel, for the seizure and condemnation of 2 cases containing 100 cans each of coumarin, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the product had been shipped, on November 14 and December 2, 1914, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, acetanilid, had been mixed and packed with the article of food aforesaid, when it was so shipped as aforesaid, so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a substance, to wit, acetanilid, had been substituted in part for the article of food, and for the further reason that a substance, to wit, acetanilid, had been substituted wholly for the article of food aforesaid; for the further reason that the article of food contained an added poisonous ingredient, to wit, acetanilid, which might render such article injurious to health; and for the further reason that the article of food contained an added deleterious ingredient, to wit, acetanilid, which might render such article injurious to health.

Misbranding was alleged for the reason that the cans containing the article of food each bore the statement "Cumarin," which said statement was false and misleading in that it represented to the purchaser that the article of food was genuine coumarin, whereas, in truth and in fact, it was not coumarin, but a mixture of coumarin and acetanilid. Misbranding was alleged for the further reason that each of the cans bore the statement "Cumarin," which said statement purported to state that the article of food was coumarin, whereas, in truth and in fact, it was not coumarin, but an imitation of coumarin. Misbranding was alleged for the further reason that each of the cans bore the statement "Cumarin," which said statement deceived and misled the purchaser in that the statement represented to the purchaser that the article of food was genuine coumarin, whereas, in truth and in fact, it was not coumarin, but a mixture of coumarin and acetanilid.

On August 21, 1915, M. L. Barrett & Co., Chicago, Ill., claimant, having admitted the material allegations in the libel, and the court having read and considered the same and having heard the arguments of counsel, judgment of condemnation and forfeiture was entered; but it appearing, however, that the coumarin might be used for perfume, it was ordered by the court that the same should be surrendered and delivered to said claimant company, upon payment of the costs of the proceeding and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act.

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