

**3746. Adulteration and misbranding of gelatin. U. S. v. 5 Barrels of Gelatin. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 5997. I. S. Nos. 11326-k, 11327-k, 11328-k, 11329-k, 11330-k. S. No. C-93.)

On October 12, 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 5 barrels of gelatin, remaining unsold in the original unbroken packages at St. Paul, Minn., alleging that the product had been shipped on September 18, 1914, by Hirsh, Stein & Co., Hammond, Ind., and transported from the State of Indiana into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. Each of the barrels bore a number, and upon the head of each barrel were the following stencil marks, respectively, "488 pounds," "500 pounds," "501 pounds," "493 pounds," "485 pounds" "XXX Purity Gelatine," and on a shipping tag on each of the barrels was the following: "Sanitary Food Manufacturing Company, Minnesota Transfer, Trap Car, Soo Line, Minnesota, From Hirsh-Stein Co., Glue, Gelatine and Fertilizer, Hammond, Indiana."

Adulteration of the product was alleged in the libel for the reason that it contained added poisonous or deleterious ingredients which might render it injurious to the health; that is to say, that said gelatin contained 12 parts per million arsenic, 64 jelly strength,<sup>1</sup> 1,896, 1,948, 2,001, 1,776, and 1,771 parts per million zinc, respectively, and 3.97, 4.19, 4.09, 4.01, and 3.88 per cent ash. Misbranding was alleged, for the reason that said article, which in fact contained the hereinbefore named ingredients in the amounts respectively stated, was an imitation of and offered for sale under the distinctive name of another article, to wit, gelatin.

On November 9, 1914, the said Hirsh, Stein & Co., 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 redelivered to said claimant upon the payment of all costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act.

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

WASHINGTON, D. C., *April 19, 1915.*

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<sup>1</sup> When this case was reported for action the Department of Agriculture referred to the low jelly strength and high ash solely to indicate the presence of glue in the product.