

## PROSECUTIONS UNDER THE SALE OF FOOD AND DRUGS' ACT.

At the Birmingham Police Court, on 16th Feb., Richard Genge, milk seller, Cromwell Street, was summoned for selling adulterated milk. George Leaton, inspector, purchased at defendant's house a pint of new milk for 2d., which, on being analysed by Dr. Hill, borough analyst, was found to contain 24 per cent. of water. The defendant was fined 20s. and costs.—George Owen, Railway Terrace, Nechells, was charged with a similar offence, the sample containing 25 per cent. of water. It was stated that the defendant had supplied the milk to the previous defendant. The defence was that the milk that had been sold to the inspector was some that was kept for a baker for making buns, at 6d. a gallon. A fine of £1 and costs was imposed.—William Jones, Hampton street, was fined £1 and costs for selling to the inspector a pint of new milk adulterated with 27 per cent. of water.

Joseph Day, provision dealer, Hill Street, was charged with adulterating mustard. On the 1st inst. he sold to the inspector 2oz of mustard adulterated with 30 per cent of wheaten flour. Mr. Goodman, a magistrate, said they should only impose a small penalty, as the mixture was not calculated to do any harm, the defendant would be fined 5s. and costs.

Alfred B. Parker, "Leather Bottle" Inn, Digbeth, was charged with selling gin 49 deg. below proof. Mr. Herbert, in opening the case, said that in an appeal case in the Court of Exchequer, before Baron Cleasby and Justice Grove, it was laid down that 20 degrees below proof was the lowest degree at which it was permissible to adulterate gin for commercial purposes. If it was weaker than that it was adulterated. Leaton proved that he bought a pint of the gin for 1s. 8d., and in cross-examination admitted that when he stated the purpose for which he required it, the waitress told him it was not their best gin. Mr. Hebbert, magistrates' clerk, explained that anything said after the sale would not affect the case.—Dr. Hill, the borough analyst, stated that the sample was 49 degrees below proof. He explained that 1 per cent. of alcohol represented two degrees under or over proof as the case might be; the specific gravity of good gin should be 944. The sample was heavier than it should be, gin being lighter than water. Extracting the alcohol, in 100 parts he found that the gin contained  $23\frac{1}{2}$  parts of alcohol, the remaining  $76\frac{1}{2}$  parts being water. Gin of the specific gravity of 944 would contain 45 per cent. of alcohol, and 55 of water. In cross-examination, Dr. Hill said he was not aware that publicans were not permitted to sell gin unless it was 30 degrees under proof. There was no Excise law or any other law to that effect—nor did he know that they are not permitted to sell raw gin; gin delivered from the distillers was 20 degrees over proof, whereas this sample was 49 under proof, and was the weakest he had ever examined. His authority was based upon cases previously decided in law courts and superior courts. In defence Mr. Bickley urged that it was the first case of the kind that had been heard in Birmingham, and said it was the commonest custom in this town for publicans to sell gin of that quality. The great point in his argument was, whether the gin had been sold to the prejudice of the purchaser, considering that it had been sold at a reduced price and without any stipulation on the part of the purchaser as to the quality of the article required. Mr. Goodman observed that a case in the Superior Court had established a standard for the guidance of the trade. Gin ought not to fall below 20 degrees under proof, while the one before them was 49 degrees. The defendant would be fined 20s. and costs; but it was advisable that the trade in Birmingham should know that if any other case came before them they would be fined more heavily.

Alfred W. Bradley, "Rose and Crown," Lichfield Street, was summoned for selling beer, adulterated with 147.6 grains of salt per gallon. Mr. Herbert said that excise ale was allowed to contain 50 grains of salt per gallon, but here there was almost three times that quantity. The Brewers' Association, a few years ago, took up the question of the adulteration of beer with salt, and the Home Secretary suggested that in cases where the total quantity of salt in beer did not exceed 50 grains, the officers of Inland Revenue need not enquire whether any part of the amount had been artificially added, for the salt might be contained in the water. Dr. Hill said he had analysed large quantities of beer, and as a rule the quantity of salt was very much below 50 grains per gallon, sometimes not more than 7 or 8, while in the sample there was the large quantity of 147.6. Burton ales had about 9 grains of salt. Mr. Bickley admitted that there was the quantity named in the beer. Salt improved beer, and made it keep better. His client sold the beer as he had purchased it from a brewery. Dr. Hill said that he never found beer quite free of salt, but salt was not necessary for the keeping of beer. The best Burton ales consumed in this country, and in India, contained very little salt. He had tested Burton ales that had been brewed more than a month. Mr. Goodman said he regarded this case in a different light to the previous one, as an injurious ingredient had been added to the beer, no doubt wilfully, and fined the defendant £5 and costs.—*Abridged from the Birmingham Daily Post.*

## PRESERVED PEAS.

On the 19th inst, at Marlborough Street, the adjourned summons against a number of foreign provision dealers in Soho for selling French preserved peas, alleged to be adulterated with copper, was again before Mr. Knox. Mr. Philbrick, Q.C., attended on behalf of the Strand Board of Works, to prosecute; Mr. Edward Lewis for the defence. Mr. Lewis asked the magistrate to give his decision in the case of Louis BARRON, which had been fully argued on the last occasion, before proceeding with the other cases. It was understood that the matter stood over for the magistrate to consider his decision. Mr. Knox said the matter had been practically exhausted in Barron's case; but it would be the better course to take another case, as he understood many scientific persons were now prepared to give evidence. The evidence for and against Barron was so evenly balanced that he should adjourn that case *sine die*, and Mr. Lewis, if he thought fit, could apply for a *mandamus* to compel him to give a decision. Mr. Lewis was not desirous of taking such a course, although he confessed to some disappointment in not having a decision as anticipated. It was then arranged that the summons against another defendant named DELMAR should be taken. Formal proof having been given of the purchase of a tin of Briaire's French preserved peas, Dr. Piesse, official analyst for the Union, stated that he had analyzed the sample of peas submitted to him, and found 0.56 of a grain of copper. On the application of Mr. Lewis, the certificate of the Government analyst at Somerset-house was produced. From the certificate it appeared that the quantity of copper found in a similar sample of peas from the same tin was returned at 0.23. Mr. Lewis pointed out that, in the case of Barron, the Government analyst had found much less copper than Dr. Piesse had declared to be present. And in the present case there was a great disparity between the result of the analyses of the Government analyst and that of Dr. Piesse. The summons against another of the defendants, William Lingner, was taken. Mr. Philbrick said the proceedings were taken under the Sale of Food and Drugs' Act, 1875, in respect of a tin of preserved peas sold by the defendants to the inspector appointed by the Board of Works, Strand Union, and which on being analyzed were found to contain copper to the extent of .088, of metallic copper, equal to  $2\frac{1}{2}$  grains of sulphate of copper. The amount of copper might be small, but it was sufficient to be dangerous. Mr. F. Taylor, inspector to the Strand District Union, and Mr. Piesse, analyst to the Strand District Board of Works, gave evidence in support of the summons. Dr. Conway Evans, M.D., medical officer of health, said he had been in practice for upwards of 20 years, during which time he had held several important appointments. He considered that the larger quantity of salt of copper spoken of in a 1lb tin of peas, if eaten daily or repeatedly would be injurious to health, and would produce chronic poisoning, but many persons might eat a quantity of these peas several times without apparently suffering any injurious effects, the period varying in accordance with difference of vigour, age, health, &c. Two or three doses might affect some persons and not others. From 14 to 15 grains of copper was sometimes given as an emetic, and sometimes in ague or chronic diarrhoea  $\frac{1}{2}$  to 3 grains were given as a tonic. It was a well-known medical fact that in respect of some poisons—such, for instance, as mercury—certain persons were peculiarly susceptible to their influence, and it was possible that these peas containing copper, if swallowed by persons ignorant of their own susceptibilities, might, even in a single dose or a few doses, lead to injurious consequences. He believed copper was more fatal in a smaller dose than salts of lead. The heightening the colours of preserves with copper was once a common practice. Cases of poisoning by copper were formerly very common, but copper utensils in cooking had given place to tin and iron saucepans. Such cases were of rare occurrence. Pure metallic copper he believed to be harmless, but it was dangerous when in contact with other substances, and when dissolved. In France 20.4 of deaths were caused by copper poisoning. Mr. Philbrick here read the symptoms of chronic poisoning by copper; they were very slow and insidious, as described by Tardieu. Dr. William Guy, M.B., F.R.C.P., and Vice-President of the Royal Society, said that cases of poisoning by copper had occurred in which the quantity swallowed must have been small. He had studied the question of poisons particularly. The fact of a trace of copper in the human body would not prove its existence in a poisonous form. He had made inquiries for Government into the effects of poisoning in certain trades. Palsy followed from poisoning by copper. Two cases had come under his knowledge of poisoning by green paper in a room. The poisoning, in his opinion, came from the copper, not the arsenic. Salts of copper he considered more poisonous than lead. The small quantity of copper contained in the peas in question from France might prove injurious, and slowly undermine health. On a nervous person copper was more likely to produce dangerous symptoms than on anyone else. With regard to the presence of 3.6 of copper, if taken one-third at a time it would not affect a healthy person, and if repeated in small doses it would, in his opinion, be ultimately injurious to health. He considered that any article containing the amount of copper spoken to by Mr. Piesse should not be allowed to be sold for one moment. Sulphate of copper in its virulence ranked fourth in the class of poisons. Dr. Charles Tidy, M.D., Professor of Chymistry and Medical Jurisprudence, and Medical Officer of Health for Islington, gave similar evidence. He had studied poisons, had experimented on fresh peas and pods, and found not even a trace of copper. If copper—that is, sulphate of copper—were constantly taken to the extent of the amount of copper found in the French peas it would be injurious to health. Dr. August Duprè, Ph.D., F.R.S., Lecturing Chymist at the Westminster Hospital, and

President of the Society of Analysts of Great Britain, stated that copper was present in traces only in animal and vegetable tissues. The quantity of copper found by Mr. Piesse was far beyond that quantity normally in any vegetable. Dr. Guy said he considered the sale of an article containing such a quantity of copper as that found in the French peas ought not to be tolerated. Small doses of copper were more dangerous than large ones, as the latter would cause vomiting. The defendant said the peas were sent to him as quite natural peas. Mr. Jenkins said the defendant had been convicted of a similar offence. Mr. Knox said that, having been informed that the defendant has been before convicted for selling peas injurious to the public health, he saw nothing to cause him to mitigate the fine, which, he believed, went up to £50. He did not want to be oppressive, but the heads of the chymical and analytical kingdom had said there was not only a traceable quantity of copper in the peas, but a dangerous quantity. Mr. Philbrick said the prosecution was instituted for the public benefit, and not with the view of punishment. The defendant said he did not sell three dozen tins in a year, and would discontinue the sale. Mr. Knox, after cautioning the defendant and expressing a wish that publicity might be given to the fact that persons would not be permitted to bring to this country goods deleterious to the health of the inhabitants, and that in future real and substantial fines would be inflicted, fined the defendant the nominal fine of 1s. and £5 5s. costs. Mr. Detmar having wished his case dealt with, he was similarly fined, and the other cases were adjourned.—*The Times*.

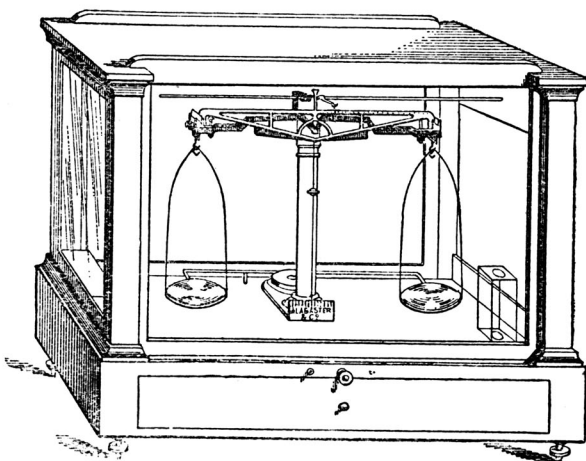
### KICKING AN INSPECTOR.

WILLIAM NEALE, Chemist, of 21, George Street, Woolwich, was summoned for assaulting John Carty, inspector under the Adulteration Act. Mr. W. Farnfield prosecuted for the Woolwich Local Board of Health. Mr. Carty said he went into defendant's shop and asked a young man behind the counter if he sold castor oil lozenges? He replied that he did, and witness asked for a dozen, which were supplied at a charge of 9d. Witness then said that he had bought them for analysis, when the young man called the defendant, who tried to regain possession of the lozenges, saying that they did not contain castor oil, and that they were not the article required. Witness offered to divide them, so that defendant might retain a sample, but the defendant got very much excited and caught hold of witness's coat. He also raised a chair, and as witness was leaving the shop, kicked him. Defendant denied the assault, and his statement was confirmed by his assistant, who said that the lozenges, though called castor oil and other names, were simply aperient, and had no castor oil in them. It was stated that they were now being tested by the public Analyst. Mr. Balguy said he believed the inspector's statement, but the assault was not a serious one, and he fined defendant 5s. and costs.

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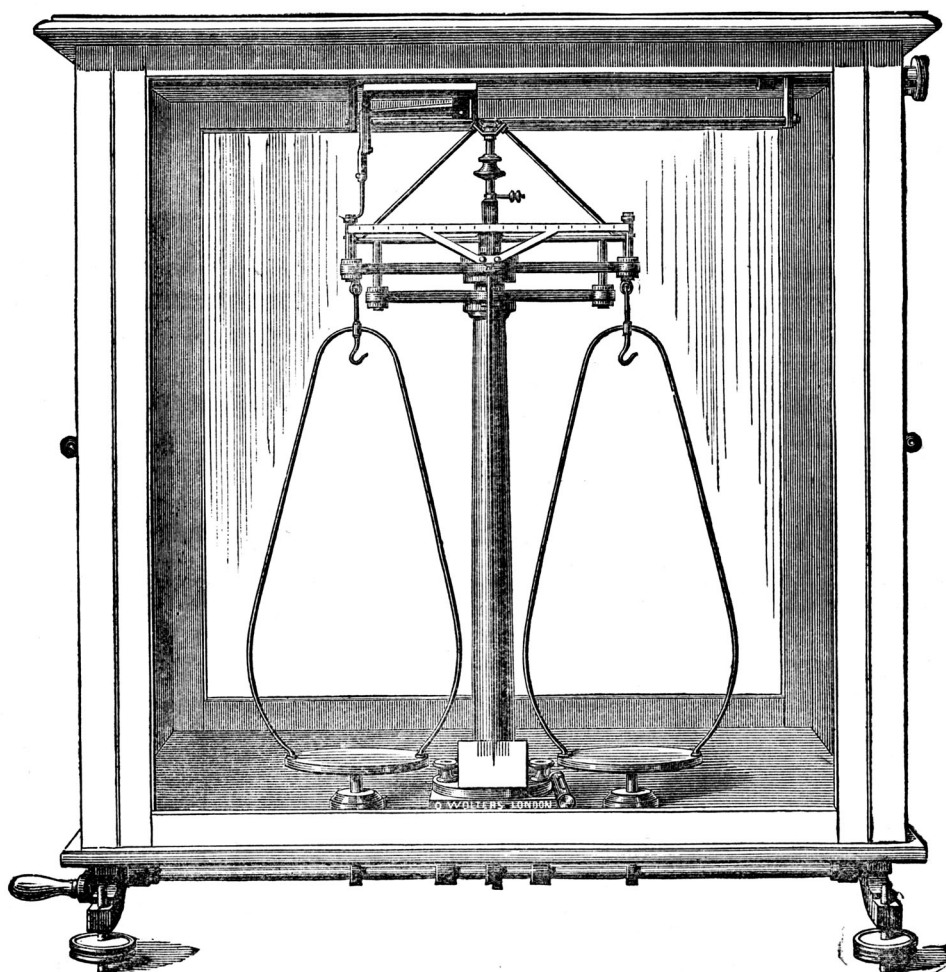
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