

SENATE . . . . . No. 6.

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STATE BOARD OF HEALTH.

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FOOD AND DRUG INSPECTION.

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SUMMARY REPORT

OF

PROSECUTIONS AND EXPENSES

FOR THE

YEAR ENDING SEPT. 30, 1896.

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UNDER THE PROVISIONS OF CHAPTER 289, ACTS OF 1884.

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# Commonwealth of Massachusetts.

## FOOD AND DRUG INSPECTION.

### REPORT OF THE STATE BOARD OF HEALTH.

OFFICE OF THE STATE BOARD OF HEALTH,  
STATE HOUSE, BOSTON, January 1, 1897.

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled.*

The following summary is made in compliance with the provisions of chapter 289, section 2, of the Acts of 1884, requiring the State Board of Health to "report annually to the Legislature the number of prosecutions made under chapter 263 of the Acts of 1882, and an itemized account of all money expended in carrying out the provisions thereof."

The whole number of prosecutions made by authority of the Board against offenders, under the provisions of the food and drug acts, for the year ending Sept. 30, 1896, was 75.

The cities and towns in which the articles were sold, and in respect to which complaints were entered in court, the character of the articles found to be adulterated, or fraudulently sold, the dates of the trials, and their results, are presented in the following table:—

### MILK AND MILK PRODUCTS.

*For Fraudulent Sales of Milk.*

PLACE.	DATE.	RESULT.
In Chelsea, . . . .	Nov. 29, 1895,	Convicted.
Chelsea, . . . .	May 22, 1896,	"
Chelsea, . . . .	July 9, 1896,	"

PLACE.	DATE.	RESULT.
Chelsea, . . . . .	Sept. 9, 1896,	Discharged.
Somerville, . . . . .	Dec. 3, 1895,	Convicted.
Somerville, . . . . .	Dec. 3, 1895,	"
Somerville, . . . . .	Sept. 18, 1896,	"
Somerville, . . . . .	Sept. 18, 1896,	"
Salem, . . . . .	Aug. 11, 1896,	"
Salem, . . . . .	Aug. 11, 1896,	"
Salem, . . . . .	Aug. 11, 1896,	"
Fall River, . . . . .	Nov. 20, 1895,	"
Fall River, . . . . .	July 15, 1896,	"
Worcester, . . . . .	June 24, 1896,	"
Cambridge, . . . . .	May 9, 1896,	"
Cambridge, . . . . .	May 9, 1896,	"
Springfield, . . . . .	Dec. 26, 1895,	"
Fitchburg, . . . . .	Jan. 28, 1896,	"
Woburn, . . . . .	Dec. 26, 1895,	"
Woburn, . . . . .	Dec. 26, 1895,	"
Newton, . . . . .	Nov. 14, 1895,	"
Beverly, . . . . .	Dec. 9, 1895,	"
Brookline, . . . . .	April 11, 1896,	"
Boylston, . . . . .	Oct. 1, 1895,	"
Boylston, . . . . .	Oct. 1, 1895,	"
Westborough, . . . . .	Oct. 25, 1895,	"
Westborough, . . . . .	Oct. 25, 1895,	"
Westborough, . . . . .	July 13, 1896,	"
Northborough, . . . . .	Oct. 25, 1895,	"
Northborough, . . . . .	July 13, 1896,	"
Athol, . . . . .	Oct. 7, 1895,	"
Royalston, . . . . .	Oct. 7, 1895,	"
Stoneham, . . . . .	Oct. 26, 1895,	"
Watertown, . . . . .	Dec. 10, 1895,	"
Watertown, . . . . .	April 24, 1896,	"
Agawam, . . . . .	Dec. 26, 1895,	"
Reading, . . . . .	March 31, 1896,	"
Reading, . . . . .	March 31, 1896,	"
Reading, . . . . .	March 31, 1896,	"
Reading, . . . . .	April 10, 1896,	"
Reading, . . . . .	July 28, 1896,	"
Reading, . . . . .	July 28, 1896,	"
Peabody, . . . . .	April 29, 1896,	"
Westfield, . . . . .	April 21, 1896,	"
Milford, . . . . .	April 28, 1896,	"
Arlington, . . . . .	May 2, 1896,	"
Arlington, . . . . .	May 2, 1896,	"
Natick, . . . . .	June —, 1896,	"
Wakefield, . . . . .	June 13, 1886,	"
Topsfield, . . . . .	Aug. 11, 1896,	"

PLACE.	DATE.	RESULT.
Topsfield, . . . . .	Aug. 11, 1896,	Convicted.
Stoughton, . . . . .	Aug. 28, 1896,	"
Sturbridge, . . . . .	Aug. 12, 1896,	"
Sudbury, . . . . .	Aug. 13, 1896,	"
Sudbury, . . . . .	Aug. 13, 1896,	"
Hardwick, . . . . .	Aug. 14, 1896,	"
Hardwick, . . . . .	Aug. 14, 1896,	"
Marblehead, . . . . .	Sept. 8, 1896,	"
Marblehead, . . . . .	Sept. 8, 1896,	"
Marblehead, . . . . .	Sept. 8, 1896,	"
Marblehead, . . . . .	Sept. 8, 1896,	"
Walpole, . . . . .	Sept. 17, 1896,	"
Dover, . . . . .	Sept. 18, 1896,	"
Dover, . . . . .	Sept. 18, 1896,	"
Brookfield, . . . . .	Sept. 22, 1896,	"
Brookfield, . . . . .	Sept. 22, 1896,	"
Dracut, . . . . .	Feb. 28, 1896,	"
Tewksbury, . . . . .	March 24, 1896,	"
Total, . . . . .		68

## FOR FRAUDULENT SALE OF OTHER ARTICLES OF FOOD.

*Maple Sugar.*

In Boston, . . . . .	April 23, 1896,	Convicted.
Boston, . . . . .	April 30, 1896,	"
Salem, . . . . .	May 1, 1896,	"
Roxbury, . . . . .	May 11, 1896,	"

*Maple Syrup.*

In Fitchburg, . . . . .	April 30, 1896,	Convicted.
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*Molasses.*

In North Adams, . . . . .	Sept. 28, 1896,	Convicted.
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*Cream of Tartar.*

In North Adams, . . . . .	Sept. 28, 1896,	Convicted.
Total, . . . . .		7

## SUMMARY.

Complaints entered in court under the acts relating to the inspection of milk and milk products, . . . . .	68
Other articles of food, . . . . .	7
Total, . . . . .	75

## SUMMARY.

The whole number of complaints entered by the State Board of Health during the year ending Sept. 30, 1896, in the courts of the Commonwealth, against parties for violation of the statutes relating to food and drug inspection was 75.

In 74, or 98.7 per cent., of these the parties were convicted. One was discharged in the municipal court.

Of the whole number, 68 were for violation of the laws relating to milk adulteration, and of this number 67 resulted in conviction. The greater number of these was for violation of the statute providing that milk offered for sale shall be of good standard quality.

In ten of the foregoing cases the complaints were for sales of milk containing coloring matter.

The attention of the Legislature is again respectfully called to the provisions of chapter 425 of the Acts of 1894, which debar any private citizen from maintaining an action against a producer for selling adulterated milk.

Attention is also respectfully called to the provisions of section 23 of chapter 397 of the Acts of 1896, by which the people are now deprived of any legal protection against the harmful action of poisonous patent medicines.

All of the seven parties against whom complaints were entered for fraudulent sales of other kinds of food were convicted.

The articles of food with reference to which these complaints were made were as follows:—

Maple sugar, 4 cases; maple syrup, 1 case; molasses, 1 case; cream of tartar, 1 case.

The following statute, as amended in 1896 (chapter 398), presents the standard of milk in Massachusetts, at the date of publishing this report:—

## [CHAPTER 398, SECTION 2, ACTS OF 1896.]

In all prosecutions under this chapter, if the milk is shown upon analysis to contain less than thirteen per cent. of milk solids, or to contain less than nine and three-tenths per cent. of milk solids, exclusive of fat, or to contain less than three and seven-tenths per cent. of fat, it shall be deemed, for the purposes of this act, to be not of good standard quality, except during the months of April, May, June, July and August, when milk containing less than twelve per cent. of milk solids, or less than nine per cent.

of milk solids exclusive of fat, or less than three per cent. of fat, shall be deemed to be not of good standard quality.

The following list presents the total solids in each of the samples of milk upon which complaints were founded, so far as records of the same were kept: —

7.09	10.00	10.52	11.04	11.30
7.13	10.20	10.56	11.06	11.30
8.69	10.20	10.57	11.10	11.39
8.75	10.24	10.62	11.11	11.42
9.20	10.24	10.64	11.14	11.44
9.26	10.34	10.66	11.16	11.60
9.32	10.38	10.77	11.18	11.64
9.71	10.40	10.79	11.19	11.76
9.80	10.42	10.86	11.25	11.78
9.81	10.42	10.90	11.26	12.60
9.84	10.43	10.96	11.28	12.62
9.92	10.49			

The total number of samples of food and drugs examined during the year was as follows: —

Milk, . . . . .	4,484
Other articles of food, . . . . .	3,368
Drugs, . . . . .	486
Total, . . . . .	8,338

Total expenses of collection, examination and prosecution, . . . . .	\$10,921 61
Average expense per sample collected, . . . . .	1 31

#### FINES.

The amount of fines paid into the treasuries of counties, cities and towns under the provisions of the general and special laws relative to the inspection of food and drugs was as follows: —

*Fines paid for Violation of the Food and Drug Acts, upon Cases entered for the Year ending Sept. 30, 1896.*

Under the provisions of the laws relating to milk and milk products, . . . . .	\$2,742 20
Under the provisions of the laws relating to other articles of food, . . . . .	70 00
Total, . . . . .	\$2,812 20

More specific details of the operations of the Board under the food and drug acts will be presented in the report of the Board for the year 1896.

## EXPENDITURES.

*Under the Provisions of the Food and Drug Acts during the Year ending Sept. 30, 1896.*

	FOR THE ENFORCEMENT OF THE STATUTES RELATING TO FOOD AND DRUG INSPECTION.	
	Relative to Milk and Milk Products.	Relative to Other Kinds of Food and Drugs.
Salaries of analysts, . . . . .	\$2,700 00	\$1,800 00
Salaries of inspectors, . . . . .	2,500 00	1,550 00
Travelling expenses and purchase of samples, . . . . .	1,115 00	736 64
Apparatus and chemicals, . . . . .	160 78	95 39
Printing, . . . . .	25 35	17 50
Books, . . . . .	—	20 00
Index cards and guides, . . . . .	37 77	20 00
Express charges, . . . . .	—	3 15
Extra services, . . . . .	77 33	38 67
Sundry small supplies (bottles, etc.), . . . . .	16 03	8 00
	<b>\$6,632 26</b>	<b>\$4,289 35</b>
		6,632 26
<b>Total, . . . . .</b>		<b>\$10,921 61</b>

SAMUEL W. ABBOTT,

*Secretary of State Board of Health.*