

tial amount of meat, whereas, in truth and in fact, it did not contain a substantial amount of meat but contained only a trace of meat, namely, 0.2 per cent.

On October 28, 1913, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$25 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2884. Adulteration and misbranding of olive oil. U. S. v. Giovanni Cristani. Plea of guilty. Fine, \$25.** (F. & D. No. 4273. I. S. No. 15310-d.)

On August 6, 1912, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Giovanni Cristani, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on December 6, 1911, from the State of New York into the State of Connecticut, of a quantity of so-called olive oil which was adulterated and misbranded. The product was labeled: "Pure Olive Oil. Product of Italy. Cono Brand. Finest olive oil for table use and medicinal purposes. Serial No. 12265. Guaranteed under United States Pure Food and Drugs Act, June 30, 1906. Olio D'Oliva Puro. Prodotto Italiano. Cono. Pure olive oil. Product of Italy. Cono."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 15.50° C.....	0.9196
Refractive index at 15.50° C.....	1.4738
Odor and taste: Rancid.	
Cottonseed oil (Halphen test).....	Positive.
Iodin number.....	109.0
Free fatty acids as oleic (per cent).....	0.97
Sesame oil (villavecchia test).....	Negative.

Adulteration of the product was alleged in the information for the reason that a substance, namely, cottonseed oil, had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, in that a substance, namely, cottonseed oil, had been substituted in part for the article. Misbranding was alleged for the reason that the package and label of the article bore a statement, design, and device regarding it and the ingredients and substances contained therein which was false and misleading for the reason that the article, which purported to be a pure olive oil, in fact consisted essentially of cottonseed oil.

On November 18, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2885. Alleged misbranding of syrup. U. S. v. Bludwine Co. Tried to the court and a jury. Verdict, not guilty.** (F. & D. No. 4274. I. S. No. 598-d.)

On November 4, 1912, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bludwine Co., a corporation, Athens, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, on September 27, 1911, from the State of Georgia into the State of Tennessee, of a quantity of so-called Bludwine syrup which was alleged to have been misbranded. The product was labeled: "Bludwine Syrup. For your health's sake. Guaranteed by Bludwine Co., under Pure Food and Drugs Act, June 30, 1906. Serial No. 8869. Directions. For carbonating—Use 1½ ozs. Bludwine Syrup to 7 oz. Bottle. As a table wine—Use 1 part Bludwine Syrup to four parts pure cold water. Bludwine Co., Athens, Ga."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Citric acid (per cent).....	0.142
Phosphoric acid (per cent).....	0.066
Tartaric acid.....	None.
Eosin dye, probably Uranin No. 510.	
Total solids (per cent).....	62.5
Alcohol (per cent by volume).....	0.11
Ash (per cent).....	0.11
Sucrose (per cent).....	1.2
Total sugar as invert (per cent).....	63.7
Flavor: Capsicum.	
Color: Amaranth.	
Total acid as citric (per cent).....	0.37

Misbranding of the product was alleged in the information for the reason that the statement "Bludwine Syrup," borne on the label, was false and misleading because it misled and deceived the purchaser into the belief that the product contained wine when, as a matter of fact, it did not contain wine. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Bludwine Syrup," thereby creating the impression that it contained wine when, as a matter of fact, it did not contain wine.

On May 28, 1913, the case having come on for trial before the court and a jury after the submission of evidence and argument by counsel, the case was given to the jury and after due deliberation the jury returned into court with its verdict of not guilty.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2886. Adulteration of tomato catsup. U. S. v. H. N. Weller et al. Plea of guilty. Fine, \$50 and costs.** (F. & D. Nos. 4287, 4839, and 4904. I. S. Nos. 13673-d, 13674-d, 13675-d, 23967-d, and 23979-d.)

On April 3, 1913, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in five counts against H. N. Weller, H. J. P. Weller, and John Streibig, copartners trading under the firm name and style of H. N. Weller & Co., Toledo, Ohio, alleging shipment by said defendants, in violation of the Food and Drugs Act—

(1) On or about November 22, 1911, from the State of Ohio into the State of Oklahoma, of a quantity of three different brands of tomato catsup which was adulterated. The first brand was labeled: "New State Brand Tomato Catsup Packed for the Williamson-Halsell-Frasier Co. Oklahoma City-Guthrie-Shawnee-Chickasha-Elk City-Altus, Oklahoma." (Wooden cases marked) "2 doz. No. 16 New State Brand Tomato Catsup Packed for Williamson-Halsell-Frasier Co., Oklahoma City, Chickasha, Guthrie, Shawnee, Altus, Elk City, Okla." Examination of a sample of this brand by the Bureau of Chemistry of this department showed the following results: Mold filaments present in about 20 per cent of all microscopic fields examined; yeasts and spores, about 50 per one-sixtieth cubic millimeter, and bacteria about 200,000,000 per cc. The second brand was labeled: "Belle Isle Brand Tomato Catsup Preserved with  $\frac{1}{10}$  of 1% Benzoate Soda Williamson-Halsell-Frasier Co., Oklahoma City, Okla." Examination of a sample of this brand by said Bureau of Chemistry showed the following results: Mold filaments present in about 25 per cent of all microscopic fields examined; yeasts and spores, about 75 per one-sixtieth cubic millimeter; bacteria about 250,000,000 per cc. The third brand was labeled: "Belle Isle Brand Tomato Catsup Preserved with  $\frac{1}{10}$  of 1% Benzoate Soda Williamson-Halsell-Frasier