

**6845. Adulteration of tomatoes. U. S. \* \* \* v. Robert G. Neale (Claybrook-Neale Packing Co.). Plea of guilty. Fine, \$50.** (F. & D. No. 9108. I. S. Nos. 2409-p, 2550-2551-p, 3201-p, 8833-p.)

On March 6, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Robert G. Neale, trading as the Claybrook-Neale Packing Co., Bowler's Wharf, Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 13, 1917, September 18, 1917, September 20, 1917, September 6, 1917, and August 29, 1917, from the State of Virginia into the States of South Carolina, New York, and Indiana, of a quantity of an article, labeled in part "Aunt Jane Brand Our 'Mammy' Tomatoes Packed by the Claybrook-Neale Packing Company, Bowler's Wharf, Essex Co., Va.," which was adulterated.

Analyses of samples of the article from each shipment by the Bureau of Chemistry of this department showed from immersion refractometer readings of the juice at 20° C. the addition of water to the tomatoes.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

On April 9, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

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

**6846. Adulteration of eggs. U. S. \* \* \* v. 5 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9125. I. S. No. 11845-p. S. No. C-923.)

On June 20, 1918, 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 for the seizure and condemnation of 5 cases, each containing 30 dozen eggs, at Chicago, Ill., alleging that the article had been shipped on or about June 14, 1918, by E. C. Grady, Grundy Center, Iowa, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted wholly of a decomposed animal substance.

On June 26, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

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

**6847. Adulteration of tomatoes. U. S. \* \* \* v. Millard T. Dawson and William T. Callahan (Dawson & Callahan). Plea of guilty. Fine, \$50.** (F. & D. No. 9154. I. S. Nos. 1466-p, 1473-p, 1727-p.)

On October 17, 1918, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Millard T. Dawson and William T. Callahan, co-partners, trading as Dawson & Callahan, alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about November 10, 1917, from the State of Virginia into the

State of Georgia, of a quantity of an article, labeled in part "Lodge Farm Brand Hand Packed Tomatoes," which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed from the immersion refractometer readings of the juice at 20° C. the addition of water to the tomatoes.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and had been substituted in part for tomatoes, which the article purported to be.

On December 11, 1918, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

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

**6848. Adulteration and misbranding of oil of wintergreen. U. S. \* \* \* v. 1 Can of Oil of Wintergreen. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9184. I. S. No. 13601-r. S. No. E-1078.)**

On August 6, 1918, 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 a libel for the seizure and condemnation of one 59-pound can of oil of wintergreen, remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about July 12, 1918, by T. J. Ray, Elk Park, N. C., and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted in whole or in part of synthetic methyl salicylate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia which differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, and its strength and purity fell below the professed standard and quality under which it was sold; and for the further reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oil of wintergreen, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and offered for sale under the distinctive name of, another article, and that the statement on the invoice, to wit, "Wintergreen Oil," was false and misleading and deceived and misled the purchaser.

On November 2, 1918, the said Thomas J. Ray, Elk Park, N. C., 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 delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$118, in conformity with section 10 of the act, conditioned in part that the product should be relabeled "Imitation Oil of Wintergreen."

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

**6849. Adulteration and misbranding of olive oil. U. S. \* \* \* v. John Courumalis and John Pappaicannau (Courumalis & Co.). Pleas of guilty. Fine, \$210. (F. & D. No. 9185. I. S. Nos. 1359-p, 1360-p, 19857-p, 19858-p, 19859-p, 19860-p.)**

On December 13, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in