net contents of said cans was less than 1 quart, and for the further reason that it was food in package form, and the quantity of food in said packages was less than 1 quart, and the quantity of food so contained therein was not marked on the outside of said packages in terms of weight, measure, or numerical count.

On April 2, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of $150.

E. D. BALL, *Acting Secretary of Agriculture.*

6988. Misbranding of macaroni and spaghetti. U. S. * * * v. The Savarese Macaroni Co., a corporation. Plea of guilty. Fine, $225 and costs. (F. & D. No. 9513. I. S. Nos. 4461-p, 4462-p, 4463-p.)

On February 27, 1919, the United States attorney for the District of Maryland, 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 Savarese Macaroni Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 30, 1918 (3 shipments), from the State of Maryland into the State of New York, of quantities of articles, labeled in part "A. & P. Brand Macaroni," "A. & P. Brand Elbow Macaroni," "A. & P. Brand Spaghetti," and "Net Weight 14½ ounces," which were misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Average weight 12 packages. (ounces).	Average shortage. (ounces).	Average shortage (per cent).
Elbow macaroni	13.54	0.96	6.6
Macaroni	13.52	0.98	6.7
Spaghetti	13.33	1.17	8.0

Misbranding of the articles in each shipment was alleged in the information for the reason that the labels of the packages bore the statement, to wit, "Net Weight 14½ ounces," which said statement was false and misleading in that the packages did not contain 14½ ounces of the article, but contained a less amount thereof; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the packages contained 14½ ounces, whereas, in fact and in truth, they contained a less amount thereof. Misbranding of the articles was alleged for the further reason that it was food in package form, and the quantity of the food contained in said package was less than 14½ ounces and the quantity of food so contained therein was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On February 27, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of $225 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

6989. Adulteration of tomatoes. U. S. * * * v. John W. Schall and Clifford C. Frey (Schall Packing Co.). Pleas of nolo contendere. Fine, $105 and costs. (F. & D. No. 9515. I. S. Nos. 2537-p, 2557-p, 3159-p.)

On May 5, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John W. Schall and Clifford C. Frey, copartners, trading under the name of the Schall Packing Co., Baltimore, Md., alleging shipment by said

defendants, in violation of the Food and Drugs Act, on or about September 15, 1917, and October 9, 1917, from the State of Maryland into the State of Georgia and on or about September 27, 1917, into the State of New York, of quantities of tomatoes which were adulterated. The article was variously labeled, "General Brand Tomatoes," "Terrapin Brand Tomatoes," and "Royal Club Brand Red Ripe Tomatoes," respectively.

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 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 and reduce and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

On May 5, 1919, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of $105 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

6990. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 24 Packages of Aspirin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9518. I. S. No. 6063-r. S. No. C-1016.)

On December 2, 1918, the United States attorney for the Western District of Missouri, 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 24 original unbroken packages of a product purporting to be aspirin tablets, at Joplin, Mo., alleging that the article had been shipped on or about November 15, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Acetylsalicylic Acid Aspirin."

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold, that is, the quality indicated by the label, to wit, "Aspirin 5 gr.," the said product in fact consisting of approximately 2.1 grains salicylic acid, together with corn starch, milk, sugar, talc, calcium carbonate, and a small amount of sodium citrate, with no acetylsalicylic acid present therein.

Misbranding of the article was alleged for the reason that the label borne on the packages was false and misleading in that it indicated that the product contained acetylsalicylic acid tablets, and [that the tablets] contained aspirin 5 grains, when, in fact, the said product consisted approximately of 2.1 grains salicylic acid, together with corn starch, milk, sugar, talc, calcium carbonate, and a small amount of sodium citrate, with no acetylsalicylic acid present therein, and for the further reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, "Acetylsalicylic Acid Tablets Aspirin 5 Gr.," when, in fact, the article consisted of 2.1 grains salicylic acid, together with corn starch, milk, sugar, talc, calcium carbonate, and a small amount of sodium citrate, with no acetylsalicylic acid present therein.

On June 9, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*