

10130. Adulteration of saccharin. U. S. * * * v. W. B. Wood Mfg. Co., a Corporation, and W. B. Wood. Dismissed as to W. B. Wood individually. Plea of nolo contendere as to corporation. Fine, \$250 and costs. (F. & D. No. 10763. I. S. Nos. 2439-r, 5126-r, 6262-r, 6264-r, 6270-r, 11355-r, 15354-r, 15620-r, 15621-r, 16066-r.)

On September 14, 1920, the United States attorney for the Eastern District of Missouri, 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 W. B. Wood Mfg. Co., a corporation, and W. B. Wood, St. Louis, Mo., alleging shipment by said defendants, in violation of the Food and Drugs Act, between the dates August 15 and August 24, 1918, from the State of Missouri into the States of Utah, Montana, Texas, Ohio, West Virginia, Virginia, and South Carolina, respectively, of quantities of saccharin which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained from 47 per cent to 60 per cent of sugar.

Adulteration of the article was alleged in the information for the reason that it was sold under a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity prescribed and laid down therefor in the said Pharmacopœia. Adulteration was alleged for the further reason that the strength and purity of the said article fell below the professed standard and quality under which it was sold.

On November 1, 1921, the action having been dismissed as to W. B. Wood individually, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$250 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10131. Adulteration and misbranding of canned red kidney beans. U. S. * * * v. 999 Cases * * * of Red Kidney Beans * * *. Judgment by consent ordering release of product under bond. (F. & D. No. 12279. I. S. No. 9019-r. S. No. C-1821.)

On March 8, 1920, the United States attorney for the Eastern 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 999 cases of alleged red kidney beans, consigned by the Central States Canning Co., Indianapolis, Ind., remaining unsold in the original unbroken packages at East St. Louis, Ill., alleging that the article had been shipped from Indianapolis, Ind., on or about February 2, 1920, and transported from the State of Indiana into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Central States Brand Red Kidney Beans * * * Packed by the Central States Canning Co., Indianapolis, Ind."

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed and packed with, and substituted wholly or in part for, red kidney beans.

Misbranding was alleged in substance for the reason that the statement on the cases and cans containing the article, to wit, "Red Kidney Beans," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 30, 1921, the Central States Canning Co., Indianapolis, Ind., having admitted the allegations of the libel, having consented to a decree, and having agreed to eliminate the words "Red Kidney" and to substitute therefor the label "Naga Uzura Beans," judgment was entered finding the product to be unlawfully and improperly labeled, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that the words "Red Kidney" be not used in the labeling thereof.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10132. Adulteration of flavor of lemon, vanilla and vanillin, extract of vanilla, extract of lemon, flavor of vanilla, and peppermint, almond, and orange flavors. U. S. * * * v. Clay L. Schroeder (National Food Mfg. Co.). Plea of guilty. Fine, \$300 and costs. (F. & D. No. 13079. I. S. Nos. 8449-r, 8450-r, 8777-r, 8778-r, 8781-r, 8782-r, 8783-r, 8784-r, 8785-r, 8789-r, 8790-r, 8792-r.)

On April 5, 1921, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Clay L.

Schroeder, trading as the National Food Mfg. Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, from the State of Missouri into the State of Illinois, on or about September 6, 1919, of quantities of flavor of lemon, extract of lemon, vanilla and vanillin, extract of vanilla, and peppermint, almond, and orange flavors, and on or about September 9, 1919, of quantities of flavor of lemon and flavor of vanilla, all of which were adulterated.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the flavor of lemon and lemon extract were dilute terpeneless flavors of lemon, containing no lemon oil and a very small amount of citral; that the vanilla and vanillin was an artificially colored solution of vanillin and coumarin; that the extract of vanilla and flavor of vanilla were dilute vanilla extracts; that the peppermint and almond flavors were mixtures of sugar and glycerin, flavored, respectively, with menthol and benzaldehyde; and that the orange flavor was a mixture of sugar and glycerin, flavored with oil of orange.

Adulteration of the flavor of lemon and lemon extract was alleged in the information for the reason that a substance, to wit, dilute alcohol slightly flavored with citral and which contained no lemon oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength and had been substituted in part for pure flavor of lemon or pure extract of lemon, which the articles purported to be. Adulteration of the vanilla and vanillin was alleged in substance for the reason that a substance, to wit, a solution of vanillin and coumarin artificially colored and containing little, if any, vanilla extract, had been substituted in whole or in part for pure vanilla and vanillin, which the article purported to be; and for the further reason that it was a product inferior to pure vanilla and vanillin, to wit, a mixture of vanillin and coumarin which contained little, if any, vanilla extract and which said mixture was colored with caramel so as to simulate the appearance of the article and in a manner whereby its inferiority to said article was concealed. Adulteration of the extract of vanilla and flavor of vanilla was alleged for the reason that a substance, to wit, a dilute vanilla extract, had been substituted in whole or in part for pure extract of vanilla or pure flavor of vanilla, which the articles purported to be. Adulteration of the almond was alleged for the reason that a dilute almond flavor had been substituted in whole or in part for pure almond, which the article purported to be. Adulteration of the peppermint was alleged for the reason that a product which contained no oil of peppermint had been substituted in whole or in part for pure peppermint, which the article purported to be. Adulteration of the orange was alleged for the reason that a mixture composed essentially of sugar sirup which contained glycerin and approximately 1.6 per cent of oil of orange and no alcohol had been substituted in whole or in part for pure orange, which the article purported to be.

On November 1, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$300 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10133. Misbranding of Cholérine. U. S. * * * v. Germo Mfg. Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 14048. I. S. No. 8227-r.)

On April 5, 1921, the United States attorney for the Eastern District of Missouri, 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 Germo Mfg. Co., a corporation, St. Louis, Mo., alleging shipment by said company, on or about September 20, 1919, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Iowa, of a quantity of Cholérine which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of about 97 per cent of water, with small amounts of iron sulphate, magnesium sulphate, sodium sulphate, and iron oxid, and traces of capsicum and sassafras oil.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the cartons and bottles containing the said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for worms and cholera in hogs and for roup, cholera, limberneck, and white diarrhea in poultry, when, in truth and in fact, it was not.