On November 2, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $25 and costs.

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

10134. Misbranding of alimentary paste. U. S. * * * v. Joseph Sciales and Marion Costa (Sciales Grocery Co.). Dismissed as to Marion Costa. Plea of guilty by Joseph Sciales. Fine, $25 and costs. (F. & D. No. 14520. I. S. No. 3808–t.)

On May 26, 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 Joseph Sciales and Marion Costa, copartners, trading as the Sciales Grocery Co., St. Louis, Mo., alleging shipment by said defendants, on or about May 21, 1920, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Illinois, of a quantity of alimentary paste which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 22, 1921, the action against Marion Costa having been dismissed, Joseph Sciales entered a plea of guilty to the information, and the court imposed a fine of $25 and costs.

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

10135. Adulteration of coal-tar color. U. S. * * * v. 12 Pounds of Red Coal-Tar Color * * *, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14626, 14797. I. S. Nos. 3683–t, 4184–t, 4185–t, 4186–t. S. Nos. C–2864, C–2970.)

On May 1 and 11, 1921, respectively, the United States attorney for the Eastern District of Wisconsin, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 27 one-pound cans of red, 3 one-pound cans of yellow, and 1 one-pound can of purple coal-tar color, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the articles had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., in part on or about August 9, 1920, and in part on or about February 25, 1921, and transported from the State of Missouri into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libels for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted wholly or in part for, the said articles. Adulteration was alleged with respect to the red and purple colors for the further reason that they contained an added poisonous or deleterious ingredient, to wit, arsenic, which might render them injurious to health.

On July 20, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

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

10136. Adulteration and misbranding of condensed milk. U. S. * * * v. 56 Cases of Sweetened Condensed Milk. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15221. I. S. No. 6250–t. S. No. E–3461.)

On July 21, 1921, 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 56 cases of sweetened condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Jersey City, N. J., on or about June 28, 1921, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Janice Brand Sweetened Condensed Milk."

Adulteration of the article was alleged in substance in the libel for the reason that it was a product deficient in fat, which had been mixed and packed with and substituted wholly or in part for the article. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.