

product, borne on the labels, were false and misleading, in that the said statements represented that the article was pure extract of vanilla and that the bottles involved in the said two consignments contained $1\frac{1}{2}$ fluid ounces or 2 fluid ounces, as the case might be, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure extract of vanilla, and that the bottles involved in the said two consignments contained $1\frac{1}{2}$ fluid ounces or 2 fluid ounces, as the case might be, whereas the article was not pure extract of vanilla but was a diluted vanilla extract fortified with vanillin, and, with the exception of one shipment, also colored with caramel, and the bottles in the said two consignments did not contain the respective amounts declared on the labels but did contain less amounts. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale and sold under the distinctive name of another article. Misbranding was alleged with respect to a portion of the product for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked off the outside of the package.

On May 18, 1925, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$145.

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

13398. Adulteration of oranges. U. S. v. 43 Boxes of Oranges. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 19840. I. S. Nos. 21122-v, 21123-v. S. No. W-1680.)

On March 3, 1925, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 43 boxes of oranges, remaining in the original unbroken packages at Astoria, Oreg., alleging that the article had been shipped by the California Fruit Growers' Exchange, from Wilmington, Calif., on or about February 24, 1925, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pine Tree Brand Fancy Highland Orange Association, Highland, Calif."

Adulteration of the article was alleged in the libel for the reason that a substance, an inedible product, had been substituted wholly or in part for normal oranges of good commercial quality.

On or about March 13, 1925, the Ryan Fruit Co., Astoria, Oreg., having entered an appearance and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

13399. Adulteration and misbranding of atropine sulphate tablets, nitroglycerin tablets, quinine sulphate tablets, acetphenetidin tablets, morphine diacetyl tablets, morphine sulphate tablets, strychnine nitrate tablets, and codeine sulphate tablets. U. S. v. Bowman, Mell & Co. (Inc.). Plea of nolo contendere. Fine, \$250. (F. & D. No. 18747. I. S. Nos. 1074-v, 1077-v, 1078-v, 1079-v, 1082-v, 1095-v, 1096-v, 1098-v, 1100-v, 2334-v, 2338-v, 2339-v, 12502-v, 15855-v, 15857-v, 15858-v.)

On September 3, 1924, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bowman, Mell & Co. (Inc.), a corporation, Harrisburg, Pa., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about September 25 and 28, October 9 and 20, 1923, respectively, from the State of Pennsylvania into the State of Maryland, on or about December 3, 1923, from the State of Pennsylvania into the State of New York, and on or about September 21, 1923, from the State of Pennsylvania into the State of New Jersey, of quantities of atropine sulphate tablets, nitroglycerin tablets, quinine sulphate tablets, acetphenetidin tablets, morphine diacetyl tablets, morphine sulphate tablets, strychnine nitrate tablets, and codeine sulphate tablets which were adulterated and misbranded. The articles were labeled in part: "Atropine Sulphate 1/50 Gr."; "Nitroglycerine 1/50 gr." (or "1/100 gr."); "Quinine Sulphate (White) 2 gr."; "Acetphenetidin 1 gr." (or "2 grs." or "3 grs."); "Morphine Diacetyl 1/24 gr." (or "1/12 Grain"); "Morphine Sulphate 1/8 gr." (or "1/2 gr."); "Strychnine Nitrate

1/30 gr." ; and " Codeine Sulphate 1/6 gr.," as the case might be, and " Bowman, Mell & Co."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that: The atropine sulphate tablets examined, labeled "1/50 gr.," averaged 0.014 grain of atropine sulphate to each tablet; the quinine sulphate tablets examined, labeled "2 gr.," averaged 1.673 grains of quinine sulphate to each tablet; the nitroglycerin tablets examined, labeled "1/50 gr.," averaged 0.011 grain of nitroglycerin to each tablet and those labeled "1/100 gr.," averaged 0.004 grain of nitroglycerin to each tablet; the two lots of morphine diacetyl tablets examined labeled "1/12 grain" averaged 0.0614 grain and 0.0621 grain, respectively, of morphine diacetyl to each tablet and those labeled "1/24 gr." averaged 0.0315 grain and 0.0335 grain, respectively, of morphine diacetyl to each tablet; the strychnine nitrate tablets examined, labeled "1/30 gr.," averaged 0.0276 grain of strychnine nitrate to each tablet; the three lots of acetphenetidin tablets examined, labeled "1 gr.," "2 grs.," and "3 grs.," respectively, averaged 0.865 grain, 1.737 grains, and 2.648 grains, respectively, of acetphenetidin to each tablet; the morphine sulphate tablets examined labeled "1/8 gr." averaged 0.106 grain of morphine sulphate to each tablet and those labeled "1/2 gr." averaged 0.439 grain of morphine sulphate to each tablet; and the codeine sulphate tablets examined, labeled "1/6 gr.," averaged 0.146 grain of codeine sulphate to each tablet.

Adulteration of the articles was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold.

Misbranding was alleged in substance for the reason that the statements, to wit, "500 Compressed Tablets Atropine Sulphate 1/50 Gr.," "Tablets * * * 1000 Nitroglycerin 1/50 gr.," "Compressed Tablets 200 Quinine Sulphate (White) 2 gr.," "Compressed Tablets 1000 Acetphenetidin 1 Gr.," "Tablets * * * 200 Morphine Diacetyl 1/24 gr.," "Tablets * * * 400 Morphine Diacetyl 1/24 gr.," "Compressed Tablets 500 Acetphenetidin 2 grs.," "Tablets * * * 1000 Nitroglycerin 1/100 gr.," "200 Tablets * * * Morphine Diacetyl 1/12 Grain," "Tablets * * * 300 Morphine Sulphate 1/8 gr.," "Tablets * * * 200 Morphine Diacetyl 1/12 Grain," "Compressed Tablets 300 Acetphenetidin 3 grs.," "Tablets * * * 500 Atropine Sulphate 1/50 gr.," "Tablets—100 Morphine Sulphate 1/2 gr.," "Compressed Tablets 500 Strychnine Nitrate 1/30 gr.," and "Tablets * * * 300 Codeine Sulphate 1/6 gr.," as the case might be, borne on the labels attached to the bottles containing the respective articles, were false and misleading, in that the said statements represented that each of said tablets contained the amount of the product declared on the label thereof, whereas the said tablets contained less than so declared.

On May 4, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$250.

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

13400. Adulteration of shell eggs. U. S. v. Bristol Produce Co. Plea of guilty. Fine, \$100. (F. & D. No. 19585. I. S. No. 18348-v.)

On February 19, 1925, the United States attorney for the Western 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 the Bristol Produce Co., a corporation, Bristol, Va., alleging shipment by said company, in violation of the food and drugs act, on or about August 20, 1924, from the State of Virginia into the State of North Carolina, of a quantity of shell eggs which were adulterated. The article was labeled in part: "Bristol Produce Co."

Examination by the Bureau of Chemistry of this department of 1,080 eggs from the consignment showed that 136, or 12.6 per cent of those examined, were inedible eggs, consisting of black rots, advanced mixed rots, moldy eggs, heavy spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On April 13, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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