

13568. Adulteration of chloroform. U. S. v. 14 Cans of Chloroform. Default order of destruction. (F. & D. No. 16636. S. No. E-4056.)

On July 18, 1922, the United States attorney for the Western District of North Carolina, 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 14 cans of chloroform, at Hendersonville, N. C., alleging that the article had been shipped from New York, N. Y., April 13, 1922, and transported from the State of New York into the State of North Carolina, and charging adulteration in violation of the food and drugs act.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it was turbid, upon evaporation it left a foreign odor, and it contained hydrochloric acid, impurities decomposable by sulphuric acid, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel 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 as determined by the test laid down in said pharmacopœia.

On August 3, 1923, no claimant having appeared for the property, judgment of the court was entered, ordering that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13569. Misbranding of grapes. U. S. v. Charles Peter Lawson (C. P. Lawson & Sons). Plea of guilty. Fine, \$25. (F. & D. No. 17409. I. S. No. 6638-v.)

On June 12, 1923, the United States attorney for the Western 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 an information against Charles Peter Lawson, trading as C. P. Lawson & Sons, Brocton, N. Y., alleging shipment by said defendant, in violation of the food and drugs act as amended, on or about October 23, 1922, from the State of New York into the State of Missouri, of quantities of grapes in baskets which were 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 June 19, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13570. Misbranding of butter. U. S. v. the Gray & White Co. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 18105. I. S. No. 1771-v.)

On March 12, 1924, the United States attorney for the Northern District of Ohio, 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 Gray & White Co., Defiance, Ohio, alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 13, 1923, from the State of Ohio into the State of Massachusetts, of a quantity of butter which was misbranded. The article was labeled in part: (Package) "One Pound Net Weight."

Examination by the Bureau of Chemistry of this department of 120 prints of butter from the consignment showed an average net weight of 15.77 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Pound Net Weight," borne on the packages containing the article, was false and misleading, in that the said statement represented that each of the said packages contained 1 pound of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said packages contained 1 pound of butter, whereas each of said packages did not contain 1 pound of butter but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 5, 1924, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*