

The facts in the case were as follows:

On July 29, 1907, an inspector of the Department of Agriculture purchased in Kansas City, Kans., a sample of a product purporting to be ground pepper. This sample formed part of a shipment made by Long Brothers Grocery Company, Kansas City, Mo., to W. M. Koffler, Kansas City, Kans., on or about May 16, 1907. The sample was subjected to analysis in the Bureau of Chemistry, United States Department of Agriculture, and it was found that a number of adulterants were present, of which wheat meal and one or two tissues, probably seed coats, were most numerous, and in smaller amounts were flaxseed meal, buckwheat flour, cocoanut shells or tissues of similar character, traces of a leguminous seed, coffee, and red pepper. It was apparent that the article was both adulterated and misbranded within the meaning of sections 7 and 8 of the act; adulterated because other substances had been mixed with the pepper so as to reduce, lower, and injuriously affect its quality and strength, and misbranded in that it purported to be ground pepper, when, as a matter of fact, analysis showed that it consisted of ground pepper and a mixture of other substances.

The Secretary of Agriculture having, on December 5, 1907, afforded the manufacturers an opportunity to show any fault or error in the aforesaid analysis, and they having failed to do so, the facts were duly reported to the Attorney-General and the case referred to the United States attorney for the western district of Missouri, who filed an information against the said Long Brothers Grocery Company, with the result hereinbefore stated.

H. W. WILEY,
F. L. DUNLAP,
GEO. P. McCABE,

Board of Food and Drug Inspection.

Approved:

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 27, 1909.*

(N. J. 121.)

MISBRANDING OF MINERAL WATER.

(AS TO QUANTITY.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 12th day of June, 1909, in the district court of the United States for the district of Maryland, in a proceeding of libel under section 10

of the aforesaid act, for seizure and condemnation of a misbranded mineral water—that is to say, 34 cases of “Pluto Concentrated Mineral Water,” labeled and branded as containing “2 Doz. Qts.” bottles each, whereas, as a matter of fact, the average content per bottle was 1.6 pints, the French Lick Springs Hotel Company, a corporation of French Lick, Ind., having appeared and filed its answer admitting the allegations of the libel, and the case having come on for a hearing, the court rendered a decree of condemnation in substance and in form as follows:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF MARYLAND.

UNITED STATES OF AMERICA	}
<i>vs.</i>	
THIRTY-FOUR CASES OF MINERAL WATER.	

The claimant in this cause having appeared, filed its answer, and admitted the allegations of the libel, that the articles libeled in this cause were misbranded in that the cases containing the mineral water were branded “Two Dozen Quarts Pluto Concentrated;” the said answer having been considered and due deliberation having been had—

It is now ordered, adjudged, and decreed this twelfth day of June, in the year 1909, by the district court of the United States for the district of Maryland, that the articles libeled in this case are hereby condemned, and the marshal shall destroy the same on the 21st day of June, in the year 1909, or so soon thereafter as the said marshal can conveniently complete such destruction, provided, however, that the said articles shall be delivered to the claimant thereof, if on or before the 19th day of June, in the year 1909, the said claimant shall have paid all the costs of these libel proceedings, and shall have executed to the United States of America a good and sufficient bond in the penal sum of two hundred and fifty (250) dollars, with a surety or sureties to be approved by this court, or the clerk thereof, conditioned that the said articles so libeled shall not be sold or disposed of contrary to the provisions of the Food and Drugs Act of June 30th, 1906, or the laws of any State, Territory, District, or insular possession.

THOS. J. MORRIS,
District Judge.

The facts in the case were as follows:

On or about May 28, 1909, an inspector of the Department of Agriculture discovered in the Camden warehouses at Baltimore, Md., 34 cases (each containing 2 dozen bottles) of mineral water labeled and branded “2 Doz. Qts. Pluto Concentrated Mineral Water.” These cases had been shipped to the Camden warehouses by the French Lick Springs Hotel Company from French Lick, Ind., on or about April 12, 1909. A number of the bottles, examined in the Bureau of Chemistry, Department of Agriculture, proved to be of short measure, containing on the average 1.6 pints each. The water was, therefore, misbranded under section 8 of the act, and on May 28, 1909, the facts were reported by the Secretary of Agriculture to

the United States attorney for the district of Maryland, and libel for seizure and condemnation was duly filed, with the result hereinbefore stated.

H. W. WILEY,
F. L. DUNLAP,
GEO. P. McCABE,
Board of Food and Drug Inspection.

Approved:

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., November 27, 1909.

(N. J. 122.)

ADULTERATION AND MISBRANDING OF STRAWBERRY EXTRACT.

(AN IMITATION COLORED WITH A COAL-TAR DYE.)

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 15th day of June, 1909, in the district court of the United States for the eastern district of Louisiana, in a prosecution against King Brothers, Shilstone & Saint (Limited), a corporation of New Orleans, La., for violation of section 2 of the aforesaid act in shipping and delivering for shipment an adulterated and misbranded strawberry flavoring extract, the said King Brothers, Shilstone & Saint (Limited), having entered a plea of guilty, the court imposed upon it a fine of \$10.

The facts in the case were as follows:

On or about April 6, 1908, an inspector of the United States Department of Agriculture purchased from R. Tuminello, Magnolia, Miss., a sample of strawberry extract labeled "Crown Extract of Strawberry. Prepared by Phoenix Extract Company, New Orleans, La.," which had been manufactured and shipped by King Brothers, Shilstone & Saint (Limited), New Orleans, La., to the said dealer on or about October 18, 1907. The sample was subjected to analysis in the Bureau of Chemistry, United States Department of Agriculture, and the following results obtained and stated:

Specific gravity (15.5° C.)-----	0.9952
Solids (grams per 100 cc)-----	3.79
Alcohol, by volume (per cent)-----	15.52
Esters, as amyl acetate (per cent)-----	.86
Color-----	Coal-tar dye.

It was evident that the product was both adulterated and misbranded within the meaning of sections 7 and 8 of the act; adulterated because it was not made from the strawberry fruit, but was an arti-