

Clarence L. Montgomery, trading as C. L. Montgomery & Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 5, 1916, from the State of Tennessee into the State of Maine, of a quantity of cottonseed meal, which was adulterated and misbranded. The article was unlabeled but was shipped pursuant to a confirmation of purchase which directed shipment of "38.62 per cent Prot. Cottonseed Meal."

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Nitrogen (per cent).....	5.88
Protein (N x 6.25) (per cent).....	36.75

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed meal, which contained 36.75 per cent protein had been substituted in whole or in part for 38.62 per cent protein cottonseed meal, which the article purported to be.

Misbranding of the article was alleged 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 20, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

J. R. RIGGS, *Acting Secretary of Agriculture.*

**6783. Adulteration and misbranding of chloroform liniment and soap liniment. U. S. \* \* \* v. Tincture & Extract Co., a corporation. Plea of guilty. Fine, \$200. (F & D No. 9242. I. S. Nos 1960-p, 1961-p, 1967-p.)**

On November 18, 1918, the United States attorney for the Eastern 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 the Tincture & Extract Co., a corporation doing business at Philadelphia, Pa., alleging shipment by said company, from the State of Pennsylvania into the State of Maryland, on or about December 8, 1917, of quantities of chloroform liniment and soap liniment, and on or about November 30, 1917, of a quantity of soap liniment, each of which was adulterated and misbranded. The articles were labeled in part, "Chloroform Liniment U. S. P.," and "Soap Liniment U. S. P.," and "Tincture & Extract Co., 219 Arch St., Philadelphia, Penna."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

CHLOROFORM LINIMENT.

Chloroform (mils per liter).....	429
(minims per fl. ounce).....	206
Camphor (grams per liter).....	21.7
Alcohol (per cent by volume).....	33.8

SOAP LINIMENT.

*Shipment of December 8, 1917.*

Camphor (grams per 100 cc.).....	3.36
Alcohol (per cent by volume).....	58.64

*Shipment of November 30, 1917.*

Camphor (grams per 100 cc.).....	3.99
Alcohol (per cent by volume).....	67.2

Compared with the United States Pharmacopoeial standard the first shipment was 25 per cent deficient in camphor and 13 per cent deficient in alcohol; the second shipment was 11 per cent deficient in camphor.

Adulteration of the chloroform liniment was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopoeia, official at the time of investigation of the article, in that in 1000 mils of the article there are approximately 429 mils of chloroform, whereas said Pharmacopoeia provides that in 1000 mils of the article there shall be 300 mils of chloroform, and in that in 1000 mils of the article there are 21.7 grams of camphor, whereas said Pharmacopoeia provides that in 1000 mils of the article there shall be 700 mils of soap liniment, and that in 700 mils of soap liniment there shall be 31.5 grams of camphor, and in that the article contained 33.8 per cent of absolute alcohol by volume, whereas said Pharmacopoeia provides that in 1000 mils of the article there shall be 700 mils of soap liniment, and that in 700 mils of soap liniment there shall be 490 mils of absolute alcohol, corresponding to 47 per cent of absolute alcohol by volume, and the standard of strength, quality, and purity of the article was not declared on the containers thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "Chloroform Liniment (U. S. P.) Alcohol 47% Chloroform 144 min. per fluid ounce," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was chloroform liniment (U. S. P.), to wit, chloroform liniment which conformed to the tests laid down in said Pharmacopoeia, that said article contained 47 per cent of alcohol and 144 minims chloroform to the fluid ounce, whereas, in truth and in fact, said article was not chloroform liniment which conformed to the tests laid down in said Pharmacopoeia, and said article did not contain 47 per cent of alcohol, but contained a less amount, to wit, approximately 33.8 per cent of alcohol, and did not contain 144 minims of chloroform to the fluid ounce, but did contain a greater amount, to wit, approximately 206 minims of chloroform to the fluid ounce; and for the further reason that it contained alcohol and chloroform and the label failed to bear a statement of the quantity or proportion of alcohol and chloroform contained therein.

Adulteration of the soap liniment was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopoeia, official at the time of investigation of the article, in that in 100 mils of the article there were 3.36 grams of camphor or 3.99 grams of camphor, as the case may be, whereas said Pharmacopoeia provides that in 100 mils of the article, there shall be 4.5 grams of camphor, and in that the article contained 58.64 per cent or 67.2 per cent of absolute alcohol by volume, as the case may be, whereas said Pharmacopoeia provides that the article should contain approximately 68 per cent of absolute alcohol by volume and the standard of strength, quality, and purity of the article was not declared on the containers thereof.

Misbranding of this article was alleged for the reason that the statement, to wit, "Soap Liniment, Alcohol 66%," borne on the label attached to the bottles containing the article, regarding it and the ingredients and substances therein, was false and misleading in that it represented that the article was soap liniment which conformed to the tests laid down in said Pharmacopoeia and that said article contained 66 per cent of alcohol, whereas, in truth and

in fact, it was not soap liniment which conformed to the tests laid down in said Pharmacopoeia and did not contain 66 per cent of alcohol, but contained a less amount, to wit, approximately 58.64 per cent of alcohol, or contained more than 66 per cent of alcohol, to wit, approximately 67.2 per cent of alcohol, as the case may be; and for the further reason that it contained alcohol and the label failed to bear a statement of the quantity or proportion of alcohol contained therein.

On November 29, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

J. R. RIGGS, *Acting Secretary of Agriculture.*

**6784. Adulteration of tomato pulp. U. S. \* \* \* v. J. Frank Hearn. Plea of nolo contendere. Fine, \$75 and costs.** (F. & D. No. 9245. I. S. No. 3017-p.)

On February 26, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Frank Hearn, Wingate, Md., alleging shipment by the said defendant, in violation of the Food and Drugs Act, on or about March 19, 1918, from the State of Maryland into the State of Pennsylvania, of a quantity of an article, labeled in part "Fox Creek Brand Tomato Pulp. \* \* \* Packed by J. Frank Hearn, Wingate, Md.," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist of a partially decomposed vegetable product.

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

On February 26, 1919, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$75 and costs.

J. R. RIGGS, *Acting Secretary of Agriculture.*

**6785. Adulteration of shell eggs. U. S. \* \* \* v. Aaron and Jennie Brackney (A. Brackney & Co.). Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 9248. I. S. No. 8220-p.)

On December 20, 1918, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Aaron and Jennie Brackney, trading as A. Brackney & Co., a partnership, Clemons, Ia., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 4, 1917, from the State of Iowa into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 2 one-half cases, consisting of 360 eggs, there were 72, or 20 per cent, inedible eggs.

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

On May 7, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10 and costs.

J. R. RIGGS, *Acting Secretary of Agriculture.*