

Adulteration of the article was alleged in the information for the reason that a substance, to wit, rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for rice bran, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Rice Bran * * * Guaranteed Analysis: Protein 12.50%. * * * Fibre 10.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article consisted wholly of rice bran, that it contained not less than 12.50 per cent of protein, and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of rice bran, that it contained not less than 12.50 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, it did not consist wholly of rice bran, but consisted in part of rice hulls and contained less than 12.50 per cent of protein and more than 10 per cent of fiber, to wit, approximately 10.00 per cent of protein and approximately 15.93 per cent of fiber. Misbranding of the article was alleged for the further 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 May 22, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

6973. Adulteration of "Oint Tanic Acid." U. S. * * * v. Eugene R. Nichols (Nichols Pharmacy). Collateral of \$20 forfeited. (F. & D. No. 9484. I. S. No. 3821-p.)

On April 23, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information against Eugene R. Nichols, trading as Nichols Pharmacy, Washington, D. C., alleging that said defendant did offer for sale and sell at the said District on May 16, 1918, in violation of the Food and Drugs Act, a quantity of an article, labeled in part "Oint Tanic Acid," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to contain 21.83 per cent of tannic acid, that glycerin was absent, and that the vehicle consisted essentially of petrolatum.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said Pharmacopœia, official at the time of investigation of the article, in that it contained no glycerin or ointment, whereas said Pharmacopœia provides that in 100 mils of the article there shall be 20 grams of glycerin and 60 grams of ointment, and in that the article contained petrolatum, which is not mentioned as an ingredient of ointment of tannic acid in said Pharmacopœia; and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

On April 23, 1919, the defendant having failed to appear, the \$20 collateral that had theretofore been deposited by him was forfeited by order of the court.

E. D. BALL, *Acting Secretary of Agriculture.*