

**7120. Adulteration and misbranding of Elix Potassii Bromidi. U. S. \* \* \* v. Thomas E. Ogram. Collateral of \$100 forfeited. (F. & D. No. 9740. I. S. No. 4035-p.)**

On May 1, 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 the District aforesaid an information against Thomas E. Ogram, Washington, D. C., alleging that said defendant did offer for sale and sell, on May 13, 1918, at the District aforesaid, in violation of the Food and Drugs Act, a quantity of an article, labeled in part "Elix Potassii Bromidi," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an aqueous solution containing 5.33 grams of boric acid, as  $H_3BO_3$ , per 100 cc., and that bromids, alcohol, and sugar were absent.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the National Formulary and differed from the standard of strength, quality, and purity as determined by the tests laid down in said National Formulary, official at the time of the investigation of the article, in that said article contained in 1000 mils no potassium bromid, whereas said National Formulary provides that it shall contain not less than 175 mils of potassium bromid, and in that said drug contained 53.3 grams of boric acid [per 1000 mils] which [substance] is not mentioned as an ingredient of elixir of potassium bromid in said Formulary; and the standard of strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that the statement, to wit, "Elix Potassii Bromidi," borne on the labels attached to the bottle containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article was elixir potassium bromid, whereas, in truth and fact, it was not, but was a product which contained no potassium bromid, and which consisted in large part of boric acid.

On May 1, 1919, the said defendant having failed to appear, the collateral of \$100 that had theretofore been deposited by him was forfeited.

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

**7121. Adulteration and misbranding of table oil. U. S. \* \* \* v. Gaetano Garro and Sebastiano Trusso (Garra & Trusso). Pleas of guilty. Fine, \$100. (F. & D. No. 9743. I. S. No. 13655-r.)**

On April 30, 1919, the United States attorney for the Southern 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 Gaetano Garra and Sebastiano Trusso, copartners, trading as Garra & Trusso, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on June 25, 1918, from the State of New York into the State of Rhode Island, of a quantity of an article, labeled in part "Finest Quality Table Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product in the cans of each size to be cottonseed oil with a slight amount of olive oil. The net volume of the gallon size was found to be 3 quarts, 1 pint, 10.5 fluid ounces; that of the half gallon size to be 1 quart, 1 pint, 13.5 fluid ounces; and that of the quart size to be 1 pint, 15.1 fluid ounces.

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

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Table Oil Insuperabile, Termini Imerese Type, Net Contents One Gallon" or "Half gallon," or "One quart," together with the design and device of natives gathering olives from olive trees, not corrected by the statement in inconspicuous type "cottonseed oil slightly flavored with olive oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading, in that they represented that the article was olive oil, and that each of said cans contained 1 gallon, or 1 half gallon, or 1 quart, net, of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained 1 gallon, or 1 half gallon, or 1 quart net of the article, whereas, in truth and in fact, it was not olive oil and each of said cans did not contain 1 gallon, or 1 half gallon, or 1 quart net of the article, but said article was a mixture composed in large part of cottonseed oil, and each of said cans contained less than 1 gallon, or 1 half gallon or 1 quart, net, of the article. 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 packages.

On May 21, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

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

**7122. Adulteration and misbranding of olive oil. U. S. \* \* \* v. Mario Campolieti. Plea of guilty. Fine, \$25. (F. & D. No. 9744. I. S. No. 11351-r.)**

On April 29, 1919, the United States attorney for the Southern 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 Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on July 16, 1918, from the State of New York into the State of Ohio, of a quantity of an article, labeled in part, "Finest Quality Olive Oil Extra Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be strongly positive and the net volume to be 1 pint 10.88 fluid ounces.

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

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil, Extra Pure, Guaranteed Absolutely Pure, Tipo Termini Imerese Italy, Sicilia-Italia,  $\frac{1}{4}$  Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that