

7168. Adulteration of table sirup. U. S. * * * v. American Syrup & Preserving Co., a corporation. Plea of guilty as to first count of information charging adulteration. Fine, \$25 and costs. Remaining counts dismissed. (F. & D. No. 9821. I. S. Nos. 8938-p, 9608-p, 12123-p, 12127-p.)

On September 9, 1919, the United States attorney for the Eastern District of Missouri, 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 American Syrup & Preserving Co., a corporation, doing business at St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 11, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "White Daisy Brand Table Syrup," which was adulterated.

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

	Can No. 1.	Can No. 2.	Can No. 3.
Sucrose (per cent)-----	0.46	0.46	0.15
Commercial glucose (polarization, 175°) (per cent) -----	91.	88.3	92.4

Adulteration of the article was alleged in the information for the reason that a mixture which contained little or no granulated sugar sirup had been substituted for a sirup which contained 10 per cent granulated sugar sirup, which the article purported to be.

On October 28, 1919, the defendant company entered a plea of guilty to the first count of the information, charging adulteration, and the court imposed a fine of \$25 and costs, and the remaining counts of the information were dismissed.

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

7169. Adulteration and misbranding of olive oil. U. S. * * * v. 2 Cases * * * of Alleged Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9826. I. S. No. 12368-r. S. No. C-1086.)

On March 3, 1919, 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 a libel for the seizure and condemnation of 2 cases, 1 containing 12 1-gallon cans, and 1 containing 24 half-gallon cans of alleged olive oil, at Cleveland, O., alleging that the article had been shipped on or about January 20, 1919, by D. Spiropulos and J. Theodore, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil Insuperabile (picture of olive tree and natives gathering and packing olives)."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding of the article was alleged for the reason that the statements, designs, and devices, borne upon the label thereof, not corrected by the statement in inconspicuous type, "Cottonseed Oil Slightly Flavored with Olive Oil," were false and misleading, and deceived and misled the purchaser in that they conveyed the impression that the article was olive oil,

when it was not; for the further reason that it was imitation of, and was offered for sale under the distinctive name of, another article; for the further reason that it purported to be a foreign product, when not so, and in being labeled "Net Contents One Gallon," and "Net Contents One-half Gallon," respectively, whereas examination showed an average shortage in volume of 4.3 and 0.6 per cent, respectively; and for the further reason that it was food in package form, and the quantity of the contents was not declared.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal in the manner and form provided by law.

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

7170. Adulteration and misbranding of vinegar. U. S. * * * v. 43 Cases, 18 Half-barrels, and 42 Cases of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9827. I. S. Nos. 16275-r, 16276-r, 16277-r. S. No. E-1254.)

On March 5, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 43 cases, each containing 2 dozen packages, 18 half-barrels, and 42 cases, each containing 1 dozen packages of so-called apple cider vinegar, remaining unsold in the original unbroken packages, at Rome, Ga., alleging that the article had been shipped on or about September 3, 1918, by the Republic Preserving Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, respectively, "Blue Jay Brand Pure Apple Cider Vinegar," "Apple Cider Vinegar 40 grain strength," and "Dawson Brand Pure Apple Cider Vinegar Reduced to 4 % acetic strength."

Adulteration of the article was alleged in the libel for the reason that dilute acetic acid, or distilled vinegar, and water colored with caramel, had been mixed and packed with, and substituted wholly for, cider vinegar, and for the further reason that it had been colored with caramel in a manner whereby its impurity [inferiority] to cider vinegar was concealed.

Misbranding of the article was alleged for the reason that the statements borne on the labels, regarding the article, to wit, "Pure Apple Cider Vinegar," "Apple Cider Vinegar 40 grain strength," and "Pure Apple Cider Vinegar Reduced to 4% acetic strength," were false and misleading and deceived the purchaser and produced in his mind the belief that the product was pure apple cider vinegar, or apple cider vinegar, 40 grain strength, or pure apple cider vinegar reduced to 4 per cent acetic strength, whereas, in fact, it was not, and for the further reason in substance that it was offered for sale under the distinctive name of another article, to wit, pure apple cider vinegar, or apple cider vinegar, 40 grain strength, or pure apple cider vinegar reduced to 4 per cent acetic strength.

On June 13, 1919, the McWilliams Feed and Grocery Co., Rome, Ga., claimant, having admitted the truth of the allegations contained in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, con-