

label operated and were intended to make the purchaser believe that he was purchasing a well-known article of food of foreign production, whereas, in fact, said wording was false and untrue and misled and deceived the purchaser in that it led him to believe that he was getting a foreign product, whereas the product contained in the barrels was in fact chiefly cottonseed oil and not the foreign product known and intended to be designated by the words "Olive Oil," and in that the contents of the barrels were a different substance from that stated on the label.

On April 29, 1919, the said Coroneos Bros., claimant, having filed a claim, 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.

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

**7218. Adulteration of tomatoes. U. S. \* \* \* v. 1334 Cases of Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9919. I. S. No. 5522-r. S. No. C-1109.)**

On March 25, 1919, the United States attorney for the Western District of Wisconsin, 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 1334 cases, each containing 6 cans of tomatoes, remaining unsold in the original unbroken packages at Superior, Wis., alleging that the article had been shipped on December 17, 1918, by the San Fernando Canning Co., San Fernando, Cal., and transported from the State of California into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Calpac Brand California Tomatoes. \* \* \* Packed by San Fernando Packing Co., San Fernando, Cal."

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

On August 2, 1919, the said San Fernando Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1000, in conformity with section 10 of the act, conditioned in part that the product should be sorted under the supervision of a representative of this department so as to eliminate the decomposed portions thereof.

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

**7219. Adulteration of Chili peppers. U. S. \* \* \* v. 10 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9920. I. S. No. 7802-r. S. No. C-1110.)**

On March 20, 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 a libel for the seizure and condemnation of 10 sacks of Chili peppers, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 11, 1919, by Joannes Brothers Co., Buena Park, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

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

On March 31, 1919, the Sellers-Brown Coffee Co., St. Louis, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sorted, the portion found unfit for food

consumption to be destroyed, and the remaining portion found suitable and fit for food consumption should not contain any decomposed vegetable matter.

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

**7220. Misbranding of tomatoes and cucumbers. U. S. \* \* \* v. Philip Spozios and Alma Spozios (Philip Spozios). Plea of guilty. Fine, \$15.** (F. & D. No. 9963. I. S. Nos. 5830-r, 6704-r, 6705-r.)

On July 31, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Philip Spozios and Alma Spozios, copartners, trading under the name of Philip Spozios, South Haven, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about September 16, 1918, and September 30, 1918, from the State of Michigan into the State of Illinois, of a quantity of tomatoes and cucumbers which were misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed that none of the baskets containing the article were labeled as to the quantity of the contents.

Misbranding of the article in each shipment was alleged in the information 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 October 14, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$15.

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

**7221. Adulteration and misbranding of gelatin. U. S. \* \* \* v. 1 Barrel of Gelatin. Default decree of condemnation, forfeiture, and sale.** (F. & D. No. 9988. I. S. No. 7808-r. S. No. C-1138.)

On April 1, 1919, the United States attorney for the Eastern District of Illinois, 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 1 barrel of gelatin, consigned by W. B. Wood Mfg. Co., St. Louis, Mo., remaining unsold in the original unbroken packages at Marion, Ill., alleging that the article had been shipped on or about March 1, 1919, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that glue and an excessive amount of zinc had been mixed and packed therewith and substituted wholly or in part for gelatin, which the article purported to be, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, zinc, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was offered for sale under the distinctive name of another article, to wit, gelatin.

On June 13, 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 at private or public sale by the United States marshal.

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

**7222. Adulteration and misbranding of essence of lemon. U. S. \* \* \* v. 25 Dozen Bottles of a Product Purporting to be Essence of Lemon. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9989. I. S. No. 12802-r. S. No. E-1280.)

On April 3, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the