

the purchaser in that it represented that each sack contained 100 pounds of the article, whereas each sack contained a less amount. Further misbranding of the article in the shipment of March 13, 1918, was alleged in that the statement, to wit, "Guaranteed Analysis: Protein 10% Fat 3.25%," borne on the tags attached to the sacks, was false and misleading in that it represented that the article contained not less than 10 per cent of protein and 3.25 per cent of fat, whereas, in truth and in fact, it contained less than 10 per cent of protein and 3.25 per cent of fat, to wit, 9 per cent of fat and 2.43 per cent of fat. Further misbranding was alleged in 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 July 9, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$350 and costs.

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

S102. Adulteration of shell eggs. U. S. * * * v. John G. Worthy et al. (J. G. Worthy & Co.). Pleas of guilty. Fine, \$60 and costs. (F. & D. No. 9805. I. S. No. 6052-r.)

On May 31, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John G. Worthy, Alfred B. Thornton, and Oliver C. Thornton, a partnership, trading as J. G. Worthy & Co., Bokchito, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 6, 1918, from the State of Oklahoma into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination of samples of the product by the Bureau of Chemistry of this department showed that of the 1½ cases examined 13 per cent of the eggs were inedible.

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

On September 22, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$60 and costs.

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

S103. Adulteration and misbranding of vinegar. U. S. * * * v. Charles E. McLean (Wallace-McLean Vinegar Co.). Plea of guilty. Fine, \$175 and costs. (F. & D. No. 9849. I. S. Nos. 11916-p, 11917-p, 11920-p.)

On July 22, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles E. McLean, trading as the Wallace-McLean Vinegar Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on May 8, February 13, and February 10, 1918, from the State of Tennessee into the State of Arkansas, of certain quantities of an article, labeled in part "Excello Brand Vinegar," "Excello Brand Pure Apple Cider Vinegar," and "Simon Pure Brand Vinegar," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained less than 4 per cent of acetic acid and consisted in part of distilled vinegar or dilute acetic acid.

Adulteration of the article in each shipment was alleged in the information in that a substance, to wit, either distilled vinegar or dilute acetic acid and other foreign materials, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength. Further

adulteration was alleged in that a substance, to wit, either distilled vinegar or dilute acetic acid and other foreign materials, had been substituted in part for "Vinegar Reduced to 4% Acetic Strength," which the article purported to be.

Misbranding of the article was alleged in that the statement on the label on the package containing the article, to wit, "Vinegar Reduced to 4% Acetic Strength," was false and misleading and deceived and misled the purchaser into the belief that the article was vinegar reduced to 4 per cent acetic strength, whereas, in truth and in fact, the article was not such vinegar, but consisted of a mixture of less than 4 per cent acetic strength, composed in part of either distilled vinegar or dilute acetic acid and other foreign materials. Further misbranding was alleged in that the statement on the packages containing the article, to wit, "This Vinegar Contains Property Found in Pure Apple Cider Vinegar," was false and misleading and deceived and misled the purchaser in that it represented that the article contained the properties of pure apple cider vinegar, whereas, in truth and in fact, it did not contain the properties of pure apple cider vinegar. Further misbranding was alleged in that it was an imitation of, and was offered for sale under the distinctive name of another article, to wit, "Vinegar Reduced to 4% Acetic Strength."

Misbranding of the article shipped on or about February 13, 1919, was further alleged in 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 2, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$175 and costs.

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

S104. Adulteration and misbranding of gelatin. U. S. * * * v. 2 Barrels of Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10220. I. S. No. 13277-r. S. No. E-1365.)

On May 16, 1919, the United States attorney for the Western District of Pennsylvania, 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 barrels of gelatin, remaining unsold in the original unbroken packages at Connellsville, Pa., alleging that the article had been shipped on or about March 1, 1919, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding under the Food and Drugs Act.

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

Solution in water: Very cloudy.

Odor: Slight resemblance to glue.

Reaction to litmus: Slightly acid.

A 3 per cent solution yields a semi-jelly of about 50 per cent of standard.

Total ash (per cent)----- 3.12

Copper (mg. per kilo)----- 47.0

Zinc (mg. per kilo)----- 630.0

Adulteration of the article was alleged in substance in the libel for the reason that a substance, to wit, technical glue, had been substituted in whole or in part for gelatin, which the article purported to be. Adulteration was alleged for the further reason that the article contained added poisonous and deleterious ingredients, to wit, copper and zinc, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.