

act, and that the goods be held by said claimant, subject to the orders of the court, pending determination of case D. L. 241, "United States of America, Libellant, v. 141 Bottles, more or less, of Drug Products."

On February 5, 1921, the matter having come on for final disposition, and it appearing to the court that on July 21, 1919, judgment was entered in said cause D. L. 241, condemning and forfeiting said drug products as being misbranded, and that said cause had been appealed to the United States Circuit Court of Appeals for the Fifth Circuit, and that the judgment of the District Court had been affirmed by the said Court of Appeals, judgment of condemnation and forfeiture was entered in the present cases, and it appearing to the court that the said claimant had theretofore filed bond in conformity with section 10 of the act, and that the goods had been delivered to him, it was ordered by the court that the cause be closed.

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

**9041. Adulteration and misbranding of maple sap sirup. U. S. \* \* \* v. New England Maple Syrup Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8501. I. S. Nos. 2870-m, 1736-m.)**

On April 3, 1918, 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 United States for said district an information against the New England Maple Syrup Co., a corporation, Cambridge, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 15 and March 30, 1916, from the State of Massachusetts into the States of Connecticut and Rhode Island, of quantities of alleged maple sap sirup which were adulterated and misbranded. The article was labeled in part, "New England Brand Vermont Maple Sap Syrup Choicest Quality Absolutely Pure. New England Maple Syrup Co. Boston."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was apparently a mixture of cane sugar and maple sirups.

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

Misbranding was alleged for the reason that the statement, to wit, "Maple Sap Syrup \* \* \* Absolutely Pure," borne on the label attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted exclusively of maple sap sirup, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article consisted exclusively of maple sap sirup, whereas, in truth and in fact, it did not consist exclusively of maple sap sirup, but did consist of a mixture composed in part of sugar sirup.

On September 23, 1919, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

**9042. Misbranding of Antifebrom, Regilaterro No. 1, Lekarstwo Na Szkorbut, Lekarstwo przeciw Pijanstwu, Krople Bobrowe, Krople Maciczne, Gardlolek, Krople Nazemcowe, and Krople Laurowe. U. S. \* \* \* v. Dr. John Chmiell Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 8812. I. S. Nos. 3729-m to 3737-m, incl.)**

On July 27, 1918, 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 United States for said district an information against the Dr. John Chmiell Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 24, 1917, from the State of Massachusetts into the State of New Hampshire, of quantities of Antifebrom, Regilaterro No. 1, Lekarstwo Na Szkorbut, Lekarstwo przeciw Pijanstwu, Krople Bobrowe,