

purporting to be oil of birch, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about December 21, 1920, by the Cold Springs Wintergreen Distillery, Mountain City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article, considered as a drug, was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the Pharmacopœial standard of strength, quality, and purity, as determined by the test laid down in said Pharmacopœia, official at the time of the investigation, and its own standard of strength, quality, and purity was not plainly stated upon its container. Adulteration of the article, considered as a food, was alleged for the reason that a substance, to wit, synthetic methyl salicylate, had been mixed and packed with, and substituted in part for, the article.

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

On January 27, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**9130. Adulteration and misbranding of East India santal oil. U. S. \* \* \* v. 1,300 5-Minim and 5,700 10-Minim \* \* \* Capsules of an Article Purporting to be East India Santal Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9634. I. S. No. 6169-r. S. No. C-1044.)**

On or about January 20, 1919, the United States attorney for the Southern 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 1,300 5-minim and 5,700 10-minim capsules of an article purporting to be East India santal oil, at Cincinnati, Ohio, consigned on July 16 and September 2, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., alleging that the article had been shipped and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. Part of the boxes containing the articles were labeled in part, "100 Soluble Elastic Capsules Guaranteed Weather-Proof and Non-Collapsible Santal Oil (East India) 5 Min." The remainder were labeled in part, "100 Soluble Elastic Capsules Guaranteed Weather-Proof and Non-Collapsible Santal Oil (East India) 10 Min." Some of the packages were labeled on the outside, "100 E. I. Santal Oil, 5 Min." The remainder were labeled on the outside, "100 E. I. Santal Oil, 10 Min."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the two sizes of capsules averaged 4.5 minims and 8.63 minims, respectively, being short in volume 10 per cent and 13 per cent, respectively, and consisted of a mixture containing approximately 60 per cent of cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure East India santal oil, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the [distinctive] name of, another article, to wit, East India oil of santal, when, in truth and in fact, said drug was a product

consisting in part of East India oil of santal and largely of cottonseed oil, and for the further reason that the article was labeled, "Capsules \* \* \* Santal Oil \* \* \* 5 Min." and "10 Min.," respectively, when, in truth and in fact, it was a product containing less than that amount.

On April 15, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**9131. Adulteration of milk. U. S. \* \* \* v. Mrs. Margaret Albers. Plea of nolo contendere to count 1 of the indictment. Fine, \$75 and costs. Count 2 dismissed. (F. & D. No. 10337. I. S. Nos. 9374-p, 10057-p.)**

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment in 2 counts against Mrs. Margaret Albers, Aviston, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on September 18, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, "From Mrs. Wm. Albers, Aviston, Ill."

Analyses of samples of the article by the Bureau of Chemistry of this department showed the presence of added water and of insoluble foreign matter. The article was very dirty.

Adulteration of the article was charged in the indictment for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be, and for the further reason that it consisted in whole or in part of a filthy animal substance.

On October 20, 1920, the defendant entered a plea of nolo contendere to count 1 of the indictment, and the court imposed a fine of \$75 and costs. Count 2 of the indictment was dismissed.

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

**9132. Adulteration and misbranding of Wood's Special Concentrated Sweetener. U. S. \* \* \* v. 4 1-Pound Cans of Wood's Special Concentrated Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13004. I. S. No. 9349-r. S. No. C-2011.)**

On July 8, 1920, the United States attorney for the Middle District of Alabama, 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 an article labeled in part, "Wood's Special Concentrated Sweetener 500—500 Soluble in Cold Water. Not sold as a drug. W. B. Wood Manufacturing Company, St. Louis, Mo. 1 Pound net," remaining in the original unbroken packages at Troy, Ala., alleging that the article had been shipped on or about June 25, 1920, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of sugar, about 32 per cent, and sodium salt of saccharin.