

Schroeder, trading as the National Food Mfg. Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, from the State of Missouri into the State of Illinois, on or about September 6, 1919, of quantities of flavor of lemon, extract of lemon, vanilla and vanillin, extract of vanilla, and peppermint, almond, and orange flavors, and on or about September 9, 1919, of quantities of flavor of lemon and flavor of vanilla, all of which were adulterated.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the flavor of lemon and lemon extract were dilute terpeneless flavors of lemon, containing no lemon oil and a very small amount of citral; that the vanilla and vanillin was an artificially colored solution of vanillin and coumarin; that the extract of vanilla and flavor of vanilla were dilute vanilla extracts; that the peppermint and almond flavors were mixtures of sugar and glycerin, flavored, respectively, with menthol and benzaldehyde; and that the orange flavor was a mixture of sugar and glycerin, flavored with oil of orange.

Adulteration of the flavor of lemon and lemon extract was alleged in the information for the reason that a substance, to wit, dilute alcohol slightly flavored with citral and which contained no lemon oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect their quality and strength and had been substituted in part for pure flavor of lemon or pure extract of lemon, which the articles purported to be. Adulteration of the vanilla and vanillin was alleged in substance for the reason that a substance, to wit, a solution of vanillin and coumarin artificially colored and containing little, if any, vanilla extract, had been substituted in whole or in part for pure vanilla and vanillin, which the article purported to be; and for the further reason that it was a product inferior to pure vanilla and vanillin, to wit, a mixture of vanillin and coumarin which contained little, if any, vanilla extract and which said mixture was colored with caramel so as to simulate the appearance of the article and in a manner whereby its inferiority to said article was concealed. Adulteration of the extract of vanilla and flavor of vanilla was alleged for the reason that a substance, to wit, a dilute vanilla extract, had been substituted in whole or in part for pure extract of vanilla or pure flavor of vanilla, which the articles purported to be. Adulteration of the almond was alleged for the reason that a dilute almond flavor had been substituted in whole or in part for pure almond, which the article purported to be. Adulteration of the peppermint was alleged for the reason that a product which contained no oil of peppermint had been substituted in whole or in part for pure peppermint, which the article purported to be. Adulteration of the orange was alleged for the reason that a mixture composed essentially of sugar sirup which contained glycerin and approximately 1.6 per cent of oil of orange and no alcohol had been substituted in whole or in part for pure orange, which the article purported to be.

On November 1, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$300 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10133. Misbranding of Cholérine. U. S. * * * v. Germo Mfg. Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 14048. I. S. No. 8227-r.)

On April 5, 1921, 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 Germo Mfg. Co., a corporation, St. Louis, Mo., alleging shipment by said company, on or about September 20, 1919, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Iowa, of a quantity of Cholérine which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of about 97 per cent of water, with small amounts of iron sulphate, magnesium sulphate, sodium sulphate, and iron oxid, and traces of capsicum and sassafras oil.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the cartons and bottles containing the said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for worms and cholera in hogs and for roup, cholera, limberneck, and white diarrhea in poultry, when, in truth and in fact, it was not.

On November 2, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10134. Misbranding of alimentary paste. U. S. * * * v. Joseph Sciales and Marion Costa (Sciales Grocery Co.). Dismissed as to Marion Costa. Plea of guilty by Joseph Sciales. Fine, \$25 and costs. (F. & D. No. 14520. I. S. No. 3808-f.)

On May 26, 1921, 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 Joseph Sciales and Marion Costa, copartners, trading as the Sciales Grocery Co., St. Louis, Mo., alleging shipment by said defendants, on or about May 21, 1920, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Illinois, of a quantity of alimentary paste which was misbranded.

Misbranding of the article 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 22, 1921, the action against Marion Costa having been dismissed, Joseph Sciales entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10135. Adulteration of coal-tar color. U. S. * * * v. 12 Pounds of Red Coal-Tar Color * * *, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14626, 14797. I. S. Nos. 3683-t, 4184-t, 4185-t, 4186-t. S. Nos. C-2864, C-2970.)

On May 1 and 11, 1921, respectively, the United States attorney for the Eastern District of Wisconsin, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 27 one-pound cans of red, 3 one-pound cans of yellow, and 1 one-pound can of purple coal-tar color, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the articles had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., in part on or about August 9, 1920, and in part on or about February 25, 1921, and transported from the State of Missouri into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libels for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted wholly or in part for, the said articles. Adulteration was alleged with respect to the red and purple colors for the further reason that they contained an added poisonous or deleterious ingredient, to wit, arsenic, which might render them injurious to health.

On July 20, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10136. Adulteration and misbranding of condensed milk. U. S. * * * v. 56 Cases of Sweetened Condensed Milk. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15221. I. S. No. 6250-t. S. No. E-3461.)

On July 21, 1921, the United States attorney for the Southern District of New York, 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 56 cases of sweetened condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Jersey City, N. J., on or about June 28, 1921, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Janice Brand Sweetened Condensed Milk."

Adulteration of the article was alleged in substance in the libel for the reason that it was a product deficient in fat, which had been mixed and packed with and substituted wholly or in part for the article. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, butter fat, had been wholly or in part abstracted.