

and condemnation of 100 cans of chloroform, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Powers-Weightman-Rosengarten Co., alleging that the article had been shipped from St. Louis, Mo., January 12, 1922, and transported from the State of Missouri into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "One Pound * * * Chloroform U. S. P. Contains about 1 per cent. Alcohol * * * Powers-Weightman-Rosengarten Co. Philadelphia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid and contained chlorid and impurities decomposable by sulphuric acid.

Adulteration of the article 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 standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On July 25, 1922, 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 disposed of according to law.

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

11388. Adulteration and misbranding of jellies. U. S. v. 5 Kits of Raspberry, Apple Jelly, et al. Default decrees of condemnation, forfeiture, and sale. (F. & D. Nos. 17100, 17174. I. S. Nos. 7638-v, 7640-v, 7650-v. S. Nos. W-1268, W-1280.)

On or about January 27, 1923, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 12 kits of raspberry apple jelly, 1 kit of apple jelly, and 1 barrel of apple jelly, remaining in the original unbroken packages at Denver, Colo., consigned by the Universal Carloading & Distributing Co., Chicago, Ill., acting for Chapman & Smith Co., Chicago, Ill., with respect to a portion of the said product, alleging that the articles had been shipped from Chicago, Ill., in various consignments, namely, on or about September 15, November 12, and December 22, 1922, and transported from the State of Illinois into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Manufactured By Chapman & Smith Company Chicago."

Adulteration of the articles was alleged in the libels for the reason that a product composed of pectin, glucose, phosphoric acid, and coal-tar dye had been mixed and packed with and substituted wholly or in part for the said articles. Adulteration was alleged for the further reason that the articles were colored in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the statements, "Tip-Top Corn Syrup Raspberry Apple Jelly Contains Phosphoric Acid," "Tip-Top Corn Syrup Apple Jelly Contains Phosphoric Acid Artificially Colored," "Rolling Pin Brand * * * Sugar Raspberry Apple Jelly Contains Phosphoric Acid," and "Rolling Pin Brand Corn Syrup Sugar Apple Jelly * * * Phosphoric Acid Artificially Colored," borne on the kits or barrel, as the case might be, containing the said articles, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were imitations of and were offered for sale under the distinctive names of other articles.

On March 30, 1923, 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 sold by the United States marshal.

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

11389. Adulteration of sauerkraut. U. S. v. 20 Cases of Canned Sauerkraut. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17110. I. S. No. 2589-v. S. No. E-4260.)

On January 9, 1923, the United States attorney for the Eastern 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 praying the seizure and condemnation of 20 cases of canned sauerkraut, remaining in the original unbroken packages at Lancaster, Pa., consigned by the W. H. Killian Co.,

Baltimore, Md., alleging that the article had been shipped from Baltimore, Md., on or about November 21, 1922, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Killian's Quality Sauer Kraut Contents 1 Lb. 13 Oz. * * * Packed By W. H. Killian Co. Baltimore, U. S. A."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been mixed and packed with and substituted in whole or in part for sauerkraut, which the said article purported to be.

On February 9, 1923, William H. Trost, Lancaster, Pa., agent for the manufacturer, having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

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

11390. Adulteration and misbranding of acetanilid compound and headache powders. U. S. v. Moore & Co., Inc., a Corporation. Plea of nolo contendere. Fine, \$10. (F. & D. No. 11620. I. S. Nos. 12624-r, 12626-r.)

On March 11, 1920, 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 Moore & Co., Inc., a corporation, Worcester, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, from the State of Massachusetts into the State of Vermont, on or about September 17, 1917, of a quantity of headache powders, and on or about September 17, 1918, of a quantity of acetanilid compound tablets, both of which were adulterated and misbranded. The articles were labeled in part: "Moore & Co. Worcester, Mass. Compressed Tablets Acetanilid Comp.;" "Moore & Co's. Headache Powders * * * Moore & Co., Inc. * * * Worcester, Mass."

Analysis of a sample of the headache powders by the Bureau of Chemistry of this department showed that it contained 2.37 grains of acetanilid per powder, or 101 grains per avoirdupois ounce. Analysis of a sample of the acetanilid compound tablets showed that it contained 2.89 grains of acetanilid per tablet and 0.34 grain of caffeine per tablet.

Adulteration of the headache powder was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was a product which contained approximately 2.37 grains of acetanilid in each powder and which contained approximately 101 grains of acetanilid per ounce and was sold as a product which contained $3\frac{2}{3}$ grains of acetanilid in each powder and 164 grains of acetanilid per ounce. Adulteration of the acetanilid compound was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it contained approximately 2.89 grains of acetanilid per tablet and 0.34 grain of caffeine alk. per tablet and was sold as a product which contained $3\frac{1}{2}$ grains of acetanilid per tablet and $\frac{1}{2}$ of a grain of caffeine alk. per tablet.

Misbranding of the headache powders was alleged for the reason that the statements, to wit, "Powders Each Powder contains $3\frac{2}{3}$ Acetanilide, 164 grain Acetanilide per ounce," borne on the box containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that each of the said powders contained $3\frac{2}{3}$ grains of acetanilid and that each ounce of the article contained 164 grains of acetanilid, whereas, in truth and in fact, each of said powders contained less than $3\frac{2}{3}$ grains of acetanilid, to wit, approximately 2.37 grains of acetanilid, and each ounce of the article contained less than 164 grains of acetanilid, to wit, approximately 101 grains of acetanilid. Misbranding was alleged with respect to the acetanilid compound tablets for the reason that the statements, to wit, "Tablets Acetanilid Comp. * * * Acetanilid $3\frac{1}{2}$ gr. Caffeine Alk. $\frac{1}{2}$ gr.," borne on the label attached to the bottle containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that they represented that each of said tablets contained $3\frac{1}{2}$ grains of acetanilid and $\frac{1}{2}$ of a grain of