

12142. Adulteration of walnut meats. U. S. v. Mrs. Lillian Gold, Mrs. Fannie Davis, and Mrs. Sadie Pincus (Sanitary Nut Shelling Co.). Pleas of guilty. Fine, \$300. (F. & D. No. 17814. I. S. Nos. 8159-v, 8160-v, 8162-v, 8274-v.)

At the January, 1924, term of the United States District Court within and for the Southern District of California, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against Mrs. Lillian Gold, Mrs. Fannie Davis, and Mrs. Sadie Pincus, copartners, trading under the name of Sanitary Nut Shelling Co., Los Angeles, Calif., alleging shipment by said defendants, in violation of the Food and Drugs Act, in various consignments, namely, on or about December 8, 19, and 29, 1922, respectively, from the State of California into the State of Colorado, and on or about December 19, 1922, from the State of California into the State of Washington, of quantities of walnut meats which were adulterated. The article was labeled in part: "Order Of Sanitary Nut Shelling Co. * * * Dark Amber."

Examination by the Bureau of Chemistry of this department of samples from each of the four consignments showed the presence of excessive quantities of wormy, rancid, moldy, and shriveled nuts.

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

On March 3, 1924, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate sum of \$300.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12143. Misbranding of meat and bone scrap. U. S. v. Economy Poultry Supply Co., Inc., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 17514. I. S. No. 135-v.)

On or about August 28, 1923, the United States attorney for the District of New Jersey, 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 Economy Poultry Supply Co., Inc., a corporation, Harrison, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 9, 1922, from the State of New Jersey into the State of New York, of a quantity of meat and bone scrap which was misbranded. The article was labeled in part: (Tag) "Bags Meat & Bone Scrap * * * 'MM Hygrade - The Secret of Good Mash' From Economy Poultry Supply Co. Inc. * * * Analysis: Protein 50 to 55%."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 44.68 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Analysis: Protein 50 to 55%," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading, in that it represented that the article contained not less than 50 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 50 per cent of protein, whereas, in truth and in fact, it did contain less than 50 per cent of protein, to wit, 44.68 per cent of protein.

On December 11, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and on December 17, 1923, the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12144. Adulteration of chloroform. U. S. v. 140 Cans of Chloroform. Default decree adjudging product to be adulterated and ordering its destruction. (F. & D. No. 16548. I. S. No. 3624-t. S. No. C-3676.)

On July 6, 1922, the United States attorney for the Western District of Wisconsin, 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 140 cans of chloroform, at Superior, Wis., alleging that the article had been shipped from New York, N. Y., on or about November 29, 1921, and transported from the State of New York into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform * * * For Anaesthesia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was turbid, upon evaporation it left a foreign odor, and it contained impurities decomposable by sulphuric acid and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name, chloroform, 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 at the time of the investigation, and the standard of strength, quality, or purity was not plainly stated upon the containers thereof.

On June 5 1923, no claimant having appeared for the property, a decree of the court was entered adjudging the product to be adulterated and ordering that it be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12145. Misbranding of cottonseed meal. U. S. v. 400 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18233. I. S. No. 13703-v. S. No. E-4710.)

On January 7, 1924, 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 400 sacks of cottonseed meal, at Elizabethtown, Pa., consigned by the International Vegetable Oil Co., Raleigh, N. C., alleging that the article had been shipped from Raleigh, N. C., on or about November 13, 1923, and transported from the State of North Carolina into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "100 Lbs. Net Empire High Grade Cotton Seed Meal * * * Guaranteed Analysis Protein, not less than 41.12% Equivalent to Ammonia 8.00%."

Misbranding of the article was alleged in substance in the libel for the reason that the labeling bore certain statements regarding the article and the ingredients and substances contained therein, which were false and misleading, in that the said statements represented that the article contained "High Grade Cotton Seed Meal * * * Guaranteed Analysis Protein, not less than 41.12% Equivalent to Ammonia 8.00%," when, in fact, it did not.

On February 26, 1924, D. K. Hiestand, Elizabethtown, Pa., 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 \$300, in conformity with section 10 of the act, conditioned in part that it be retagged under the supervision of this department.

C. F. MARVIN, *Acting Secretary of Agriculture.*

12146. Misbranding of butter. U. S. v. 100 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18392. I. S. No. 992-v. S. No. E-4739.)

On February 15, 1924, the United States attorney for the Northern District of Georgia, 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 100 cases of butter, at Atlanta, Ga., alleging that the article had been shipped by the Belle Meade Butter Co., from Nashville, Tenn., February 5, 1924, and transported from the State of Tennessee into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Full Weight One Pound * * * Butter."

Misbranding of the article was alleged in the libel for the reason that the statement borne on the label on the cartons containing the said article, to wit, "Full Weight One Pound," was false and misleading and deceived and misled the purchaser into the belief that each of the said cartons contained 1 pound of butter, whereas, in truth and in fact, the said cartons did not each contain 1 pound of butter but did contain a materially less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity and [of the] contents were [was] not plainly and conspicuously marked on the outside of the package.

On February 19, 1924, George A. Hornel & Co., Atlanta, Ga., claimant, having admitted the allegations in the libel and having consented to the entry of a decree, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*