

tion of the food and drugs act, on or about June 13, 1923, from the State of Mississippi into the State of Louisiana, of a quantity of shell eggs which were adulterated. The article was labeled in part: "H. L. Lewis, Street, Miss."

Examination of the 360 eggs in the consignment by the Bureau of Chemistry of this department showed that 59, or 16.38 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, blood rings, and embryos.

Adulteration of the article was alleged in the information for the reason that it consisted in, whole or in part of a filthy, decomposed, and putrid animal substance.

On November 3, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

W. M. JARDINE, *Secretary of Agriculture.*

12949. Adulteration and misbranding of canned oysters. U. S. v. 100 Cases of Oysters. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17468. I. S. No. 1041-v. S. No. E-4362.)

On or about April 24, 1923, the United States attorney for the Southern District of Florida, 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, each containing 4 dozen cans, of oysters, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by S. S. Goffin, from Baltimore, Md., on or about April 20, 1923, and transported from the State of Maryland into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in whole or in part for oysters, which the article purported to be.

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

On September 6, 1923, S. S. Goffin, Jacksonville, Fla., claimant, having admitted the allegations of 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 \$1,000, in conformity with section 10 of the act.

W. M. JARDINE, *Secretary of Agriculture.*

12950. Adulteration and misbranding of codeine sulphate, morphine sulphate, heroin, nitroglycerin, atropine sulphate, and strychnine sulphate tablets. U. S. v. the Tracy Co., Inc. Plea of nolo contendere. Fine, \$150. (F. & D. No. 18759. I. S. Nos. 15262-v, 15263-v, 15264-v, 15265-v, 15267-v, 15315-v, 15316-v, 15819-v, 15820-v, 15821-v, 15822-v, 15873-v.)

On October 21, 1924, the United States attorney for the District of Connecticut, 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 Tracy Co., Inc., trading at New London, Conn., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about November 23, and December 5, 1923, respectively, from the State of Connecticut into the State of Massachusetts, of quantities of codeine sulphate tablets, morphine sulphate tablets, heroin tablets, nitroglycerin tablets, and atropine sulphate tablets, and on or about December 1 and 4, 1923, respectively, from the State of Connecticut into the State of New York, of quantities of morphine sulphate tablets, nitroglycerin tablets, strychnine sulphate tablets, and codeine sulphate tablets which were adulterated and misbranded. The articles were labeled in part: "The Tracy Company" or "The Tracy Company, Inc." * * * "New London, Conn."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that: The codeine sulphate tablets labeled "1-8 gr." averaged not more than 0.107 grain of codeine sulphate to each tablet, and those labeled "1-4 gr." averaged not more than 0.193 grain and 0.156 grain, respectively, of codeine sulphate to each tablet; the morphine sulphate tablets labeled "1-8 gr." averaged 0.067 grain of morphine sulphate to each tablet, and those labeled "1-4 gr." averaged 0.162 grain and 0.215 grain, respectively, of morphine sulphate to each tablet; the nitroglycerin tablets labeled "1-150

gr." averaged not more than 0.00296 grain of nitroglycerin to each tablet, and those labeled "1-100 gr." averaged not more than 0.0063 grain and 0.0064 grain, respectively, of nitroglycerin to each tablet; the heroin tablets labeled "1-6 gr." averaged not more than 0.127 grain of heroin to each tablet; the atropine sulphate tablets labeled "1-100 gr." averaged not more than 0.0081 grain of atropine sulphate to each tablet; the strychnine sulphate tablets labeled "1-60 gr." averaged not more than 0.0139 grain of strychnine sulphate to each tablet.

Adulteration of the articles was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold.

Misbranding was alleged for the reason that the statements, "500 Codeine Sulphate 1-8 gr.," "200 Codeine Sulphate 1-4 gr.," "200 Soluble Hypodermatic Tablets Codeine Sulphate 1-4 Gr.," "400 Morphine Sulphate 1-8 gr.," "200 Morphine Sulphate 1-4 gr.," "200 Soluble Hypodermatic Tablets Morphine Sulphate 1-4 Gr.," "296 Heroin 1-6 Gr.," "500 Nitroglycerin 1-100 gr.," "500 Soluble Hypodermatic Tablets Nitroglycerin 1-100 gr.," "500 H T Nitroglycerin 1-150 gr.," "500 Atropine Sulphate 1-100 gr.," and "500 Soluble Hypodermatic Tablets Strychnine Sulphate 1-60 gr.," borne on the labels attached to the bottles containing the respective articles, regarding the said articles, were false and misleading, in that the said statements represented that each of the tablets contained the amount of codeine sulphate, morphine sulphate, heroin, nitroglycerin, atropine sulphate, or strychnine sulphate, as the case might be, declared on the label, whereas the said tablets contained less codeine sulphate, less morphine sulphate, less heroin, less nitroglycerin, less atropine sulphate, and less strychnine sulphate, as the case might be, than so declared.

On December 31, 1924, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*