

product, borne on the labels, were false and misleading, in that the said statements represented that the article was pure extract of vanilla and that the bottles involved in the said two consignments contained $1\frac{1}{2}$ fluid ounces or 2 fluid ounces, as the case might be, 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 was pure extract of vanilla, and that the bottles involved in the said two consignments contained $1\frac{1}{2}$ fluid ounces or 2 fluid ounces, as the case might be, whereas the article was not pure extract of vanilla but was a diluted vanilla extract fortified with vanillin, and, with the exception of one shipment, also colored with caramel, and the bottles in the said two consignments did not contain the respective amounts declared on the labels but did contain less amounts. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale and sold under the distinctive name of another article. Misbranding was alleged with respect to a portion of the product for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked off the outside of the package.

On May 18, 1925, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$145.

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

13398. Adulteration of oranges. U. S. v. 43 Boxes of Oranges. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 19840. I. S. Nos. 21122-v, 21123-v. S. No. W-1680.)

On March 3, 1925, the United States attorney for the District of Oregon, 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 43 boxes of oranges, remaining in the original unbroken packages at Astoria, Oreg., alleging that the article had been shipped by the California Fruit Growers' Exchange, from Wilmington, Calif., on or about February 24, 1925, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pine Tree Brand Fancy Highland Orange Association, Highland, Calif."

Adulteration of the article was alleged in the libel for the reason that a substance, an inedible product, had been substituted wholly or in part for normal oranges of good commercial quality.

On or about March 13, 1925, the Ryan Fruit Co., Astoria, Oreg., having entered an appearance 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 destroyed by the United States marshal.

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

13399. Adulteration and misbranding of atropine sulphate tablets, nitroglycerin tablets, quinine sulphate tablets, acetphenetidin tablets, morphine diacetyl tablets, morphine sulphate tablets, strychnine nitrate tablets, and codeine sulphate tablets. U. S. v. Bowman, Mell & Co. (Inc.). Plea of nolo contendere. Fine, \$250. (F. & D. No. 18747. I. S. Nos. 1074-v, 1077-v, 1078-v, 1079-v, 1082-v, 1095-v, 1096-v, 1098-v, 1100-v, 2334-v, 2338-v, 2339-v, 12502-v, 15855-v, 15857-v, 15858-v.)

On September 3, 1924, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bowman, Mell & Co. (Inc.), a corporation, Harrisburg, Pa., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about September 25 and 28, October 9 and 20, 1923, respectively, from the State of Pennsylvania into the State of Maryland, on or about December 3, 1923, from the State of Pennsylvania into the State of New York, and on or about September 21, 1923, from the State of Pennsylvania into the State of New Jersey, of quantities of atropine sulphate tablets, nitroglycerin tablets, quinine sulphate tablets, acetphenetidin tablets, morphine diacetyl tablets, morphine sulphate tablets, strychnine nitrate tablets, and codeine sulphate tablets which were adulterated and misbranded. The articles were labeled in part: "Atropine Sulphate 1/50 Gr."; "Nitroglycerine 1/50 gr." (or "1/100 gr."); "Quinine Sulphate (White) 2 gr."; "Acetphenetidin 1 gr." (or "2 grs." or "3 grs."); "Morphine Diacetyl 1/24 gr." (or "1/12 Grain"); "Morphine Sulphate 1/8 gr." (or "1/2 gr."); "Strychnine Nitrate