

concealed, and for the further reason that it contained added poisonous or deleterious ingredients, to wit, salicylic acid and glucose, which rendered it injurious to health.

It was further alleged in the libel that the article was misbranded in violation of section 8 of the act, in that it was labeled with the intent of deceiving the public, and in that it was an imitation of and offered for sale under the distinctive name of another article.

On or about January 8, 1926, no claimant having appeared for the property, judgment of the court was entered, ordering that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14012. Adulteration and misbranding of butter. U. S. v. Yerington Creamery Co. Plea of guilty. Fine, \$75. (F. & D. No. 19677. I. S. Nos. 20193-v, 20508-v, 20509-v.)**

On November 30, 1925, the United States attorney for the District of Nevada, 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 Yerington Creamery Co., a corporation, Yerington, Nev., alleging shipment by said company, in violation of the food and drugs act, in two consignments, namely, on or about January 16 and February 9, 1925, respectively, from the State of Nevada into the State of California, of quantities of butter which was adulterated and misbranded. A portion of the article was labeled in part: "Pasteurized Creamery Butter \* \* \* From Yerington Creamery Mason, Nevada." The remainder of the said article was labeled in part: "Finest Creamery Butter."

Adulteration of the article was alleged in the information for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Butter," borne on the packages containing the article, was false and misleading, in that the said statement represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it was a product which did not contain 80 per cent by weight of milk fat but did contain a less amount.

On December 17, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$75.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14013. Adulteration and misbranding of codeine sulphate tablets, quinine sulphate tablets, morphine sulphate tablets, strychnine nitrate tablets, and atropine sulphate tablets. U. S. v. the William A. Webster Co. Plea of guilty. Fine, \$30 and costs. (F. & D. No. 19244. I. S. Nos. 4628-v, 6705-v, 6775-v, 6777-v, 19207-v, 19208-v.)**

On March 3, 1925, the United States attorney for the Western District of Tennessee, 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 William A. Webster Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about July 19, 1923, from the State of Tennessee into the State of Illinois, of quantities of strychnine nitrate tablets and atropine sulphate tablets, respectively, on or about August 7, 1923, from the State of Tennessee into the State of Ohio, of a quantity of codeine sulphate tablets, and on or about September 15, 1923, and February 7, 1924, from the State of Tennessee into the State of Missouri, of quantities of quinine sulphate tablets and morphine sulphate tablets, respectively, which were adulterated and misbranded. The articles were labeled in part, variously: "Tablets Codeine Sulphate, 1-4 grain"; "Tablets Quinine Sulphate, 2 Grain"; "Tablets Morphine Sulphate, 1/8 gr." (or "1-2 Grain"); "Tablets Strychnine Nitrate Grain, 1/40 gr."; "Tablets Atropine Sulphate, 1-100 grain," and were further labeled, "The William A. Webster Co. \* \* \* Memphis, Tenn."

Analysis by the Bureau of Chemistry of this department of samples of the articles showed that: The codeine sulphate tablets, labeled "1/4 grain," contained 3/14 grain of codeine sulphate per tablet; the quinine sulphate tablets, labeled "2 Grain," contained 2 1/4 grains of quinine sulphate per tablet; the morphine sulphate tablets labeled "1/8 gr." contained 3/16 grain

of morphine sulphate per tablet, and those labeled "1/2 Grain" contained 2/5 grain of morphine sulphate per tablet; the strychnine nitrate tablets, labeled "1/40 gr.," contained 1/50 grain of strychnine nitrate per tablet, and the atropine sulphate tablets, labeled "1/100 grain," contained 1/125 grain of atropine sulphate per tablet.

Adulteration of the articles was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented the said tablets to contain 1/4 grain of codeine sulphate, 2 grains of quinine sulphate, 1/8 grain of morphine sulphate, 1/2 grain of morphine sulphate, 1/40 grain of strychnine nitrate or 1/100 grain of atropine sulphate, as the case might be, whereas the alleged 1/8 grain morphine sulphate tablets and the 2 grain quinine sulphate tablets contained more than 1/8 grain of morphine sulphate and more than 2 grains of quinine sulphate and each of the remaining tablets contained less of the product than represented on the label thereof.

Misbranding was alleged for the reason that the statements, to wit, "Tablets Codeine Sulphate, 1-4 grain," "Tablets Quinine Sulphate, 2 Grain," "Tablets Morphine Sulphate, 1/8 gr.," "Tablets Morphine Sulphate, 1-2 Grain," "Tablets Strychnine Nitrate, 1/40 gr.," and "Tablets Atropine Sulphate, 1-100 grain," as the case might be, borne on the labels of the respective products, were false and misleading, in that the said statements represented that each of said tablets contained the amount of the product declared on the label thereof, whereas the alleged 1/8 grain morphine sulphate and 2 grain quinine sulphate tablets contained more morphine sulphate and more quinine sulphate, respectively, than declared, and the remaining products contained less of the product than declared on the label thereof.

On December 31, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$30 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14014. Adulteration of dried pears. U. S. v. 52 Bags of Dried Pears. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20699. I. S. No. 7178-x. S. No. E-5526.)**

On December 8, 1925, 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 praying the seizure and condemnation of 52 bags of dried pears, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by M. Lauer & Strauss from Prague, Czecho-Slovakia, on or about November 7, 1922, and transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

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

On December 28, 1925, William Rosen, New York, N. Y., 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 \$600, in conformity with section 10 of the act, conditioned in part that it be resorted under the supervision of this department and the bad portion destroyed or denatured.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**14015. Misbranding of butter. U. S. v. 28 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20302. I. S. No. 6803-x. S. No. E-5430.)**

On July 14, 1925, 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 and subsequently an amended libel praying the seizure and condemnation of 28 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Minnesota Cooperative Creamery Co., Renville, Minn., on or about June 30, 1925, and transported from the State of Minnesota into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Minnesota Brand Fancy Creamery Butter."