

on the labels of the cartons and bottles, to wit, "Dr. Groves' Anodyne for Infants is a reliable assistant of a mother * * *. This preparation is perfectly safe," regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a reliable assistant to a mother in that it was a preparation which could be administered with perfect safety to infants, whereas, in truth and in fact, the article contained morphine sulphate, a drug which rendered the article unsafe to be administered to infants, and for the further reason that it contained alcohol and morphine, and the carton failed to bear a statement of the quantity and proportion of alcohol and morphine contained therein.

On May 7, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

6987. Adulteration and misbranding of olive oil. U. S. * * * v. Achille Joannidi and Fanos Perides (Joannidi & Perides). Pleas of guilty. Fine, \$150. (F. & D. No. 9512. I. S. No. 14806-r.)

On March 10, 1919, 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 an information against Achille Joannidi and Fanos Perides, copartners, trading under the firm name and style of Joannidi & Perides, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on May 31, 1918, from the State of New York into the State of Pennsylvania, of a quantity of so-called olive oil which was adulterated and misbranded. The article was labeled in part, "Olio il Siciliano Brand Extra Fine Quality."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Average net contents of 3 cans-----	1 pint 14.77 fluid ounces.
Average shortage (fluid ounces)-----	1.23
Average shortage (per cent)-----	3.8
Halpen test for cottonseed oil: Strongly positive.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article by its label purported to be.

Misbranding of the article was alleged in substance for the reason that the statements, to wit, "Olio il Siciliano Brand, Termini-Imerese Style," borne on the labels of the cans, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil and that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil produced in the kingdom of Italy, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, a product produced in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America. Misbranding of the article was alleged for the further reason that the statement, to wit, "One Quart Net," borne on the labels of the cans, was false and misleading in that it purported and represented that the net contents of said cans was 1 quart, whereas, in truth and in fact, the

net contents of said cans was less than 1 quart, and for the further reason that it was food in package form, and the quantity of food in said packages was less than 1 quart, and the quantity of food so contained therein was not marked on the outside of said packages in terms of weight, measure, or numerical count.

On April 2, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$150.

E. D. BALL, *Acting Secretary of Agriculture.*

6988. Misbranding of macaroni and spaghetti. U. S. * * * v. The Savarese Macaroni Co., a corporation. Plea of guilty. Fine, \$225 and costs. (F. & D. No. 9513. I. S. Nos. 4461-p, 4462-p, 4163-p)

On February 27, 1919, the United States attorney for the District of Maryland, 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 Savarese Macaroni Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 30, 1918 (3 shipments), from the State of Maryland into the State of New York, of quantities of articles, labeled in part "A. & P. Brand Macaroni," "A. & P. Brand Elbow Macaroni," "A. & P. Brand Spaghetti," and "Net Weight 14½ ounces," which were misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Average weight 12 packages. (ounces).	Average shortage. (ounces).	Average shortage (per cent).
Elbow macaroni.....	13.54	0.96	6.6
Macaroni.....	13.52	0.98	6.7
Spaghetti.....	13.33	1.17	8.0

Misbranding of the articles in each shipment was alleged in the information for the reason that the labels of the packages bore the statement, to wit, "Net Weight 14½ ounces," which said statement was false and misleading in that the packages did not contain 14½ ounces of the article, but contained a less amount thereof; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the packages contained 14½ ounces, whereas, in fact and in truth, they contained a less amount thereof. Misbranding of the articles was alleged for the further reason that it was food in package form, and the quantity of the food contained in said package was less than 14½ ounces and the quantity of food so contained therein was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On February 27, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$225 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

6989. Adulteration of tomatoes. U. S. * * * v. John W. Schall and Clifford C. Frey (Schall Packing Co.). Pleas of nolo contendere. Fine, \$105 and costs. (F. & D. No. 9515. I. S. Nos. 2537-p, 2557-p, 3159-p.)

On May 5, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John W. Schall and Clifford C. Frey, copartners, trading under the name of the Schall Packing Co., Baltimore, Md., alleging shipment by said