

7693. Adulteration of rice shorts. U. S. * * * v. Carl Adler (Adler Export Co.). Plea of guilty. Fine, \$10. (F. & D. No. 9160. I S No. 8736-p.)

On November 19, 1918, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carl Adler, trading as the Adler Export Co., New Orleans, La., alleging shipment by the said defendant, in violation of the Food and Drugs Act, on or about September 10, 1917, from the State of Louisiana into the State of Alabama, of a quantity of an article, labeled in part "Rice Shorts," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the same to contain added ground rice hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, ground rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and for the further reason that a substance, to wit, added ground rice hulls, had been substituted in part for rice shorts, which the article purported to be.

On May 29, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

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

7694. Adulteration and misbranding of olive oil. U. S. * * * v. John Zeppos, Nick Antonio, and Anthony Antonio, Copartners (Alpha Importing Co.). Plea of guilty. Fine, \$15. (F. & D. No. 10293. I. S. No. 14866-r)

On October 24, 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 John Zeppos, Nick Antonio, and Anthony Antonio, copartners, trading as the Alpha Importing Co., New York, N. Y., alleging shipment by said defendants, on or about October 15, 1918, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded. Said article was labeled as follows, (very small type) "Cotton seed oil flavored with" (design of Greek flags) "Pure Olive Oil" (translated from Greek) (figure of Hermes and branch of olives) "Calamata" (translated from Greek) "Net contents full quarter gallon."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted of a mixture of corn, cottonseed, and peanut oils, with probably a trace of olive oil, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that a mixture of cottonseed oil, corn oil, and peanut oil, which contained only a trace, if any, of olive oil, had been substituted in whole or in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the following statements, to wit, "ΓNHΣΙΟΝ ΕΑΑΙΟΝ" (pure olive oil), not corrected by the statement in inconspicuous type "Cotton seed oil flavored with," and "ΚΑΑΑΜΩΝ" (Calamata), "Net Contents Full Quarter Gallon," together with the designs and devices of Greek flags, olive branches, and the figure of Hermes, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and

labeled so as to deceive and mislead the purchaser in that they represented that said article was pure olive oil, and that said article was a foreign product, to wit, an olive oil produced in the kingdom of Greece and that the said cans contained 1 full quarter gallon of the article, whereas, in truth and in fact, said article was not pure olive oil, but was a mixture composed of cottonseed oil, corn oil, and peanut oil, with only a trace, if any, of olive oil, and said article was not a foreign product, to wit, an olive oil produced in the kingdom of Greece, but was a domestic product, and each of said cans did not contain 1 full quarter gallon net of the article, but did contain a less amount. Misbranding of the article was alleged for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Greece, and for the further reason that it was a mixture composed of cottonseed oil, corn oil, and peanut oil, with only a trace, if any, of olive oil, prepared in imitation of olive oil, and sold under the distinctive name of another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 12, 1919, the defendants entered a plea of guilty to the information, and the court imposed a fine of \$15.

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

7695. Adulteration and misbranding of aspirin. U. S. * * * v. Hance Brothers & White, a Corporation. Plea of guilty. Fine, \$100.
(F. & D. No. 11619. I. S. Nos. 15391-r, 15311-r.)

On January 27, 1920, 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 an information against Hance Brothers & White, a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 26, 1919, and October 2, 1918; from the State of Pennsylvania into the State of Maryland, of quantities of an article, labeled in part "Tablets of Aspirin Five Grains" and "Compressed Tablets Aspirin (Acetyl-salicylic Acid) Five Grains," which were adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the tablets shipped on February 26, 1919, contained 4.11 grains of acetylsalicylic acid, and that the tablets shipped on October 2, 1918, contained 3.21 grains of acetylsalicylic acid.

Adulteration of the article with respect to the shipment of February 26, 1919, was alleged in the information for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold in that it was a product which contained less than 5 grains of aspirin per tablet, to wit, approximately 4.11 grains, and was sold as a product which contained 5 grains of aspirin per tablet. Adulteration of the article with respect to the shipment of October 2, 1918, was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold in that it was a product which contained less than 5 grains of aspirin (acetylsalicylic acid) per tablet, to wit, approximately 3.21 grains of aspirin (acetylsalicylic acid) per tablet, and was sold as a product which contained 5 grains of aspirin (acetylsalicylic acid) per tablet.

Misbranding of the article was alleged in substance in the information with respect to each of the shipments for the reason that the statement "Five