

Omelets, Etc., use  $\frac{1}{2}$  IXL Cooking Powder and  $\frac{1}{2}$  egg" and "Use one level teaspoonful for each egg called for in the recipe," were false and misleading and deceived and misled the purchaser into the belief that the article was a substitute for eggs and for shortening in cooking, whereas, in truth and in fact, it was not. Further misbranding was alleged in that the statements above quoted represented to the purchaser that the article was an egg substitute and contained ingredients and substances of the same composition as eggs, whereas, in truth and in fact, it was not such a substitute nor was the same so composed. Further misbranding of the article was alleged in that the statement on the label on the package containing the article, regarding the article, to wit, "Net Weight 6 Oz.," was false and misleading in that it represented to the purchasers that the package contained not less than 6 ounces of the article, whereas, in truth and in fact, it contained less than 6 ounces. Further misbranding of the article was alleged in that the article was food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 22, 1920, the defendant entered a plea of nolo contendere, and the court imposed a fine of costs.

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

**§115. Misbranding of olive oil. U. S. \* \* \* v. Antonious Deligiannis and Nick Deligiannis (Deligiannis Bros.). Plea of guilty. Fine, costs.** (F. & D. No. 11221. I. S. No. 2677-r.)

On February 6, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonious Deligiannis and Nick Deligiannis, trading as Deligiannis Bros., Chicago, Ill., alleging shipment by said defendants, on or about March 19, 1919, in violation of the Food and Drugs Act, as amended, from the State of Illinois into the State of Colorado, of a quantity of an article, labeled in part "Net Contents Two Quarts Pure Olive Oil Universal Deligiannis Bros.," which was misbranded.

Examination of a representative sample of the article by the Bureau of Chemistry of this department showed that the average quantity of the contents of 8 cans was 1.836 quarts.

Misbranding of the article was alleged in the information in that the statement on the label on the can containing the article, to wit, "Net Contents Two Quarts," was false and misleading and deceived and misled the purchaser into the belief that each can contained not less than 2 quarts of the article, whereas, in truth and in fact, each can contained less than 2 quarts. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 23, 1920, the defendants entered a plea of guilty to the information, and the court imposed a fine of costs.

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

**§116. Adulteration and misbranding of Perfecto Horse and Mule Feed. U. S. \* \* \* v. Milam-Morgan Co. (Ltd.), a Corporation. Plea of guilty. Fine, \$10.** (F. & D. No. 11226. I. S. No. 17635-r.)

On January 24, 1920, 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 the Milam-Morgan Co., Ltd., New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on December 28, 1918, from the State