

alleging that the article had been shipped by the International Import & Export Co., Boston, Mass., on or about July 14, 1920, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

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

On February 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

9207. Adulteration and misbranding of rubbed sage. U. S. * * * v. 5 Barrels of * * * Rubbed Sage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13979. I. S. No. 6467-t. S. No. E-2905.)

On November 30, 1920, 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 for the seizure and condemnation of 5 barrels of rubbed sage, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Sperry & Barnes Co., New Haven, Conn., on or about October 29, 1920, and transported from the State of Connecticut into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that substances, to wit, mineral matter and sand, had been mixed and packed with and substituted in part for the article.

Misbranding was alleged for the reason that the label bore a statement regarding the article and the ingredients and substances contained therein, to wit, "Rubbed Sage," which was false and misleading and deceived and misled the purchaser, for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, and 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 March 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

9208. Adulteration of tomato catsup. U. S. * * * v. 16 Dozen * * * Bottles and 44 Cases * * * of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14000. I. S. Nos. 6354-t, 6355-t. S. No. E-2909.)

On December 8, 1920, 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 for the seizure and condemnation of 16 dozen 15-ounce bottles and 44 cases, each containing 3 dozen 8-ounce bottles, of tomato catsup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Cruikshank Bros. Co., Pittsburgh, Pa., on or about November 4, 1920, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "* * * Cruikshank * * * Tomato Ketchup Made From Fresh Ripe Tomatoes, Pure Spices, Granulated Sugar, Vinegar And Salt. Not

Artificially Preserved Or Colored Prepared And Guaranteed By Cruikshank Bros. Co. Pittsburgh U. S. A. * * * Cruikshank Brothers Co. Union Pickling And Preserving Works Pittsburgh, Pa. Guaranteed By Cruikshank Bros. Co. To Meet Requirements Of All Federal And State Pure Food Laws."

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

On March 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

9209. Adulteration of tomato ketchup. U. S. * * * v. 48 Cases of Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14443. I. S. No. 6367-t. S. No. E-3114.)

On February 11, 1921, 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 for the seizure and condemnation of 48 cases of tomato ketchup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Cruikshank Bros. Co., Pittsburgh, Pa., on or about January 15, 1921, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cruikshank's Highest * * * Grade * * * Tomato Ketchup * * * Net Wt. 6 lbs. 13 oz. * * * Cruikshank Bros. Co. Pittsburgh, U. S. A."

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

On March 15, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

9210. Adulteration and misbranding of nitroglycerin tablets. U. S. * * * v. P. T. Probst Co., a Corporation. Plea of guilty. Fine, \$300. (F. & D. No. 12370. I. S. No. 13533-r.)

On August 26, 1920, the United States attorney for the Western 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 the P. T. Probst Co., a corporation, Rochester, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 4, 1919, from the State of New York into the State of New Jersey, of a quantity of nitroglycerin tablets which were adulterated and misbranded. The article was labeled in part: "5000 Tablet Triturate No. 600 Nitroglycerin $\frac{1}{100}$ Gr. * * * P. T. Probst Company, Chemist to Medical Profession Rochester, N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately $\frac{6}{1000}$ grain of nitroglycerin per tablet.

Adulteration of the article was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was sold as tablet triturate nitroglycerin $\frac{1}{100}$ grain, to wit, a product which contained $\frac{1}{100}$ grain of nitroglycerin per tablet, whereas, in truth and in fact, it was not, but was a product which contained less than $\frac{1}{100}$ grain of nitroglycerin per tablet.

Misbranding was alleged for the reason that the statement, to wit, "Tablet Triturate Nitroglycerin $\frac{1}{100}$ Gr.," borne on the labels attached to the bottles