

whereas, in truth and in fact, each of the said sacks did contain less than 100 pounds of the article and the said article did contain less than 38.5 per cent of protein and more than 14 per cent of crude fiber. Misbranding was alleged for the further reason 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.

On May 16, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10625. Misbranding of canned shrimp. U. S. * * * v. Dunbar-Dukate Co., a Corporation. Plea of guilty. Fine, \$60. (F. & D. No. 12796. I. S. Nos. 17361-r, 17367-r, 17368-r.)

On December 4, 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 Dunbar-Dukate Co., a corporation, New Orleans, La., alleging shipment by said company, on or about October 15, 1919, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the District of Columbia, of quantities of canned shrimp which was misbranded. A portion of the article was labeled in part: (Can) "Dunbar's Barataria Shrimp Net Weight 5 Ozs." (or "8½ Ozs.") "Packed By G. W. Dunbar's Sons Branch Dunbar-Dukate Co. New Orleans, La. - Biloxi, Miss. * * *." The remainder of the article was labeled in part: (Can) "* * * Dunbar's Pickled Shrimp Net Weight 5½ Ozs. * * *."

Examination of samples of the article by the Bureau of Chemistry of this department showed that the average net weight of 7 cans of the 5-ounce size was 4.56 ounces; that the average net weight of 4 cans of the 5½-ounce size was 5.49 ounces; and that the average net weight of 4 cans of the 8½-ounce size was 8.11 ounces.

Misbranding of the article was alleged in substance in the information for the reason that the respective statements, to wit, "Net Weight 5 Ozs.," "Net Weight 8½ Ozs.," and "Net Weight 5½ Ozs.," borne on the cans containing the article, regarding the said article, were false and misleading in that the said statements represented that each of the said cans contained 5 ounces, 8½ ounces, or 5½ ounces, as the case might be, of the said article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained 5 ounces, 8½ ounces, or 5½ ounces, as the case might be, of the said article, whereas, in truth and in fact, each of the said cans did not contain the amount stated thereon but did contain a less amount. Misbranding was alleged for the further reason 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.

On December 9, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$60.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10626. Adulteration and misbranding of sweetener. U. S. * * * v. 10 Cans of Alleged Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13002. I. S. Nos. 290-r, 9878-r. S. No. E-2416.)

On or about July 9, 1920, the United States attorney for the Western District of North Carolina, 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 10 cans of alleged sweetener, at High Point, N. C., alleging that the article had been shipped by the W. B. Wood Drug [Mfg.] Co., St. Louis, Mo., June 11, 1920, and transported from the State of Missouri into the State of North Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that saccharin had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it contained an added poisonous or deleterious ingredient, saccharin, which might render it injurious to health.

Misbranding was alleged in substance for the reason that the cans containing the article bore the following label, "Wood's Special Concentrated Sweetener. 500-500 Soluble in Cold Water. Not sold as a drug. * * * 1 Pound of Con-

centrated Sweetener in 7 Pints of Water, then each ounce of this solution is equal to about 4 Pounds of Sugar," which statements were false and misleading, in that the said article contained a mixture of sucrose, starch, and soda-saccharin; and for the further reason that the said label was false and misleading and deceived and misled the purchaser, in that the article was represented as being 500 times sweeter than sugar, when it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On December 17, 1920, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10627. Misbranding of Allan's red wash and of Parrott mixture. U. S. * * * v. 7 Packages of Allan's Red Wash and 14 Packages of Parrott Mixture * * *. Default decree adjudging the products to be misbranded and ordering their destruction. (F. & D. No. 13018. I. S. Nos. 260-r, 261-r. S. Nos. E-2417, E-2418.)

On July 22, 1920, the United States attorney for the Western District of North Carolina, 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 7 packages of Allan's red wash and sandalwood emulsion compound and 14 packages of Parrott mixture, at Asheville, N. C., alleging that the articles had been shipped by Allan-Pfeiffer Chemical Co., East St. Louis, Ill., July 18, 1920, and transported from the State of Illinois into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the red wash and sandalwood emulsion compound consisted of two preparations, one of which (the red wash) contained zinc sulphate, boric acid, a phenol, eucalyptol, a trace of alkaloid, and water, and the other (sandalwood emulsion compound) contained santal oil, mineral oil, methyl salicylate, copaiba, small amounts of magnesium and calcium salts, and water; and that the Parrott mixture consisted of an emulsion of turpentine oil, methyl salicylate, camphor, copaiba, gum, and water.

Misbranding of the articles was alleged in substance in the libel for the reason that certain statements appearing on the carton containing the Allan's red wash and on the label of the bottle and on the carton containing the Parrott mixture, regarding the curative and therapeutic effects of the respective articles, falsely and fraudulently represented that the said Allan's red wash was effective as a remedy for gonorrhoea and gleet, and that it was all that was needed in the treatment of gonorrhoea, and that the said Parrott mixture would relieve gonorrhoea and gleet in from two to five days, whereas the said articles contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 24, 1921, no claimant having appeared for the property, judgment of the court was entered finding the products to be misbranded and ordering their destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10628. Adulteration and misbranding of vinegar. U. S. * * * v. 4 Barrels of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13031. I. S. No. 14655-r. S. No. E-2421.)

On July 20, 1920, the United States attorney for the District of New Jersey, 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 4 barrels of vinegar, at Bridgeton, N. J., alleging that the article had been shipped by the Powell Corp., Philadelphia, Pa., on or about March 26, 1920, and transported from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "* * * Apple Cider Vinegar Philadelphia Vinegar Co. * * *."

Adulteration of the article was alleged in the libel for the reason that apple waste vinegar had been mixed and packed with and substituted wholly or in part for cider vinegar, which the said article purported to be.

Misbranding was alleged in substance for the reason that the statements on the label of the barrel containing the article, to wit, "40 Grain Pure Apple Cider Vinegar * * * Fermented Apple Vinegar * * *," were false and