

Drugs Act, as amended. The article was labeled in part: "The Rugby Milling Co. World's Best, Made From Hard Spring Wheat, Rugby N. D. 98 pounds net when packed Bleached."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "98 pounds net when packed," was false and misleading and deceived and misled the purchaser, and 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 June 29, 1922, the Jennison Mills Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,021.25, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act under the direction and to the satisfaction of this department.

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

11165. Adulteration and misbranding of olive oil. U. S. v. Vassilia Touris, Louis Touris, and Charles Touris (S. A. Touris). Pleas of guilty. Fine, \$100. (F. & D. No. 16570. I. S. Nos. 6033-t, 6712-t, 8488-t, 8489-t.)

On December 12, 1922, 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 Vassilia Touris, Louis Touris, and Charles Touris, theretofore copartners, trading as S. A. Touris, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about June 8, June 10, and September 17, 1921, respectively, from the State of New York into the States of New Jersey, Maryland, and Pennsylvania, respectively, of quantities of olive oil, a portion of which was misbranded and the remainder of which was adulterated and misbranded. The shipments of June 10 and September 17 were labeled in part: "One Gallon" (or "Half Gallon") "Sansone Marca Termini Imerese Pure Olive Oil Imported And Packed By S. A. Touris." The shipment of June 8 was labeled in part: "Net Contents 1 Gallon Il Famoso Olio Per Insalata."

Examination of a sample of the Il Famoso oil by the Bureau of Chemistry of this department showed that it consisted of cottonseed oil and peanut oil. Examination, by said bureau, of the product involved in all the consignments showed that the cans contained less than the quantity declared on the labels.

Adulteration of the Il Famoso oil was alleged in the information for the reason that substances, to wit, cottonseed oil and peanut oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in large part for, to wit, olive oil, which the article purported to be.

Misbranding was alleged with respect to the said Il Famoso oil for the reason that the statements, to wit, "Il Famoso Olio Per Insalata," "Il Termini Imerese," and "Extra Quality," in large type, not corrected by the statement in smaller type and in an inconspicuous place, "Winter pressed cottonseed oil flavored slightly with pure olive oil," together with the designs and devices of olive branches bearing olives and the Italian crown, borne on the cans containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was, to wit, 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, to wit, olive oil, and that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, whereas, in truth and in fact, it was not, to wit, olive oil, but was a mixture composed in large part of cottonseed oil and peanut oil, and it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America. Misbranding was alleged with respect to the said Il Famoso oil for the further reason that the statements, designs, and devices borne on the said cans purported the article to be a foreign product when not so.

Misbranding was alleged with respect to the product involved in all the consignments for the reason that the statements, "One Gallon," "Half Gallon," or "Net Contents 1 Gallon," borne on the respective labels of the cans containing the article, were false and misleading in that they represented that each of the said cans contained one gallon, one-half gallon, or one gallon net of the said article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained one gallon, one-half gallon, or one gallon net of the said article, as the case might be, whereas, in truth and in fact, each of said cans did not contain one gallon, one-half gallon, or one gallon net of the said article, 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 packages.

On December 18, 1922, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

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

11166. Adulteration of chloroform. U. S. v. 9 One-Pound Cans and 46 Quarter-Pound Cans of Chloroform. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16608. I. S. Nos. 14136-t, 14137-t. S. No. W-1141.)

On July 10, 1922, the United States attorney for the District of Colorado, 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 9 one-pound cans and 46 quarter-pound cans of chloroform, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Powers-Weightman-Rosengarten Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., in various shipments, namely, on or about April 22, May 20, and June 13, 1922, respectively, and transported from the State of Missouri into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroformum Chloroform U. S. P. For Anæsthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the chloroform in the one-pound packages contained chlorinated decomposition products, and that the chloroform in the quarter-pound packages was turbid and contained impurities, decomposable by sulphuric acid, and chlorinated decomposition products.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down by said Pharmacopœia, official at the time of investigation.

On November 20, 1922, 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, such destruction to be carried out by the delivery of the said product to this department to be used for experimental purposes.

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

11167. Adulteration of oranges. U. S. v. 396 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16752. I. S. No. 3860-v. S. No. C-3760.)

On August 2, 1922, 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 a libel for the seizure and condemnation of 396 boxes of oranges at Chicago, Ill., alleging that the article had been shipped by C. M. Brown, Inc., from Redlands, Calif., July 24, 1922, and transported from the State of California into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Crysanthemum Brand."

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

On September 1, 1922, 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.*