

strength, quality, and purity of the said articles were not declared on the containers thereof.

Adulteration of the morphine sulphate tablets, and the atropine sulphate tablets shipped October 27, 1924, into Massachusetts, was alleged for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that each of the morphine sulphate tablets was represented to contain 1/2 grain of morphine sulphate and each of the atropine sulphate tablets involved in the said shipment into Massachusetts was represented to contain 1/200 grain of atropine sulphate, whereas each of the morphine sulphate tablets contained less than 1/2 grain of morphine sulphate and each of the said atropine sulphate tablets shipped into Massachusetts contained more than 1/200 grain of atropine sulphate. Adulteration of the remaining shipment of atropine sulphate tablets was alleged 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 tablets composed wholly of atropine sulphate, whereas the said tablets were composed in part of codeine.

Misbranding of the said tinctures was alleged for the reason that the statements, to wit, "Tincture * * * Nux Vomica U. S. P.," "Tincture * * * Stramonium U. S. P.," "Tincture * * * Belladonna Leaves U. S. P." and "Tincture * * * Aconite Root U. S. P.," borne on the respective labels, were false and misleading, in that the said statements represented that the articles conformed to the standards laid down in the United States Pharmacopoeia, whereas, in truth and in fact, they did not.

Misbranding of the morphine sulphate tablets, and the atropine sulphate tablets shipped into Massachusetts was alleged for the reason that the statements, "Tablets * * * Atropine Sulphate 1/200 Grain" and "Each tablet contains Morphine Sulphate 1/2 grain," borne on the respective labels, were false and misleading, in that the said statements represented that the tablets each contained 1/200 grain of atropine sulphate, or 1/2 grain of morphine sulphate, as the case might be, whereas the atropine sulphate tablets involved in the said shipment into Massachusetts each contained more than 1/200 grain of atropine sulphate, and the morphine sulphate tablets each contained less than 1/2 grain of morphine sulphate. Misbranding of the remaining shipment of the atropine sulphate tablets was alleged for the reason that the statement, to wit, "Tablets * * * Atropine Sulphate," borne on the label, was false and misleading, in that the said statement represented that the article consisted of tablets composed wholly of atropine sulphate, whereas it consisted of tablets composed in part of codeine, and for the further reason that the article contained codeine, a derivative of morphine, and the label failed to bear a statement of the quantity or proportion of codeine contained therein.

On November 1, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$2,000.

W. M. JARDINE, *Secretary of Agriculture.*

14777. Misbranding of tomatoes. U. S. v. William B. Brewer. Plea of guilty. Fine, \$25. (F. & D. No. 19625. I. S. No. 18440-v.)

On May 8, 1925, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William B. Brewer, trading as W. B. Brewer, at Hazlehurst, Miss., alleging shipment by said defendant, in violation of the food and drugs act as amended, on or about June 18, 1924, from the State of Mississippi into the State of Ohio, of a quantity of tomatoes in unlabeled crates which were misbranded.

It was alleged in the information that the article was misbranded, in 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 2, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

W. M. JARDINE, *Secretary of Agriculture.*

14778. Misbranding of butter. U. S. v. Sugar Creek Creamery Co. Plea of guilty. Fine, \$50. (F. & D. No. 19581. I. S. Nos. 16677-v, 16683-v, 18258-v.)

On May 29, 1925, the United States attorney for the Western District of Kentucky, 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 Sugar Creek Creamery Co., a corporation, trading at Louisville, Ky., alleging

shipment by said company, in violation of the food and drugs act as amended, in various consignments, on or about June 18 and 25, 1924, respectively, from the State of Kentucky into the State of Georgia, and on or about June 9, 1924, under the name of the Louisville Provision Co., from the State of Kentucky into the State of Louisiana, of quantities of butter which was misbranded. The article was labeled in part: (Package) "Sugar Creek Butter * * * Full Weight One Pound * * * Sugar Creek Creamery Co General Offices Danville Ills."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Full Weight One Pound," borne on the label, was false and misleading, in that the said statement represented that each of the said packages contained 1 pound full weight of butter, 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 packages contained 1 pound full weight of butter, whereas each of said packages did not contain 1 pound full weight of butter 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 October 14, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

14779. Adulteration and misbranding of cottonseed cake or meal. U. S. v. Chickasha Cotton Oil Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 19777. I. S. Nos. 345-x, 20877-x, 20878-x, 20879-x.)

On June 29, 1926, the United States attorney for the Western District of Oklahoma, 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 Chickasha Cotton Oil Co., a corporation, trading at Chickasha, Okla., alleging shipment by said company, in violation of the food and drugs act, from the State of Oklahoma into the State of Colorado, on or about March 4, 1925, in the name of the Hobart Cotton Oil Mill, from Hobart, Okla., and on or about October 24, 1925, in the name of the Frederick Cotton Oil Mill, from Frederick, Okla., of quantities of cottonseed cake or meal which was adulterated and misbranded. The article was labeled in part: "'Chickasha Prime' Cottonseed Cake or Meal * * * Guaranteed Analysis: Protein not less than 43 per cent * * * Chickasha Cotton Oil Co. Chickasha, Okla."

Analysis by the Bureau of Chemistry of this department of a sample of the article from each shipment showed 41.69 per cent, 38.96 per cent, 40.55 per cent, and 39.27 per cent, respectively, of protein.

Adulteration of the article was alleged in the information for the reason that a cottonseed substance having a protein content less than 43 per cent had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted for cottonseed cake or meal having a protein content not less than 43 per cent, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Guaranteed Analysis: Protein not less than 43 per cent," borne on the tags attached to the sacks containing the article, was false and misleading, in that the said statement represented that the article contained not less than 43 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, whereas it did contain less than 43 per cent of protein.

On October 11, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14780. Misbranding of canned tuna fish. U. S. v. 56 Cases of Canned Tuna Fish. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18809. I. S. No. 12951-v. S. No. E-4852.)

On July 2, 1924, the United States attorney for the Eastern 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 praying seizure and condemnation of 56 cases of canned tuna fish, remaining in the original unbroken