

**2832. Adulteration and misbranding of strawberry fruit juice. U. S. v. Bruce & West Manufacturing Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 3519. I. S. No. 2416-d.)**

On July 13, 1912, the United States Attorney for the Northern District of Ohio, 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 Bruce & West Manufacturing Co., a corporation, Cleveland, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 23, 1911, from the State of Ohio into the State of New York, of a quantity of strawberry fruit juice which was adulterated and misbranded. The product was labeled: (Stenciled on barrel) "Strawberry \* \* \*" (On shipping tag) "From the Bruce & West Mfg. Co., J. M. Shull, Mgr., Bakers & Confectioners Supplies, Cleveland, O. For A. E. Morse I. C. Co. Niagara Falls, N. Y."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed sodium benzoate, 0.268 per cent. Adulteration of the product was alleged in the information for the reason that a substance, to wit, benzoate of soda, had been substituted in part for the article named and described upon the label and brand. Misbranding was alleged for the reason that the labels and brands on the product were false and misleading in that they would deceive and mislead the purchaser into the belief that the product consisted of a substance prepared wholly from strawberry fruit, whereas, in truth and in fact, it contained a substance, to wit, benzoate of soda, which is not a normal constituent of food and the presence of which was not declared upon the labels and brands.

On May 23, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$10 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 3, 1914.*

**2833. Adulteration and misbranding of acetanilid compound tablets; adulteration and misbranding of acetanilid tablets; adulteration and misbranding of nitroglycerin tablets; adulteration and misbranding of extract nux vomica tablets; adulteration and misbranding of strychnine sulphate tablets; misbranding of wine of coca. U. S. v. Toledo Pharmacal Co. Plea of nolo contendere. Fine, \$150 and costs. (F. & D. No. 3535. I. S. Nos. 9862-d, 9861-d, 9870-d, 9871-d, 9875-d, 9876-d.)**

On May 3, 1912, the United States Attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in eleven counts against the Toledo Pharmacal Co., a corporation, Toledo, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 27, 1911, from the State of Ohio into the State of Michigan—

(1) Of a quantity of acetanilid compound tablets which were adulterated and misbranded. The product was labeled: (On bottle) "Guarantee No. 2867 Guaranteed under the food and drugs act, June 30, 1906. 1000 Compressed Tablets No. 9, Acetanilid Comp. No. 2. Acetanilid  $3\frac{1}{2}$  grs. Sodium Bicarb. 1 gr. Caffeine Citrated  $\frac{1}{2}$  gr. 16922 Manufactured by Toledo Pharmacal Co. 224-28 Jackson St. Toledo, O." (Blown in bottle) "Toledo Pharmacal Co., Toledo, Ohio."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: 100 tablets weighed 31.2518 grams; acetanilid per tablet, 2.75 grains; caffeine citrate per tablet, 0.482 grain; sodium bicarbonate, not determined. Adulteration of the product was alleged in the information for the reason that it bore upon the label thereof a professed standard, to wit, acetanilid  $3\frac{1}{2}$  grains strength per tablet, whereas, in truth and in fact, said product was of a lower standard in strength, to wit, 2.75 grains per tablet. Misbranding was alleged for the reason that the statement on the label was false and misleading in that it would convey the impression that each tablet contained  $3\frac{1}{2}$  grains acetanilid, whereas, in truth and in fact, each of the tablets contained but 2.75 grains of acetanilid.