

Adulteration of the product was alleged in the information for the reason that its strength fell below the professed standard under which it was sold, to wit, "5 grains Sodium Salicylate," when, in truth and in fact, it contained a much less amount of said ingredient. Misbranding was alleged for the reason that the statement "Sodium Salicylate 5 grains," borne on the label, was false and misleading, because it conveyed the impression that the product contained 5 grains sodium salicylate, whereas, in truth and in fact, it contained a much less amount of said ingredient.

On October 21, 1913, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10, with costs of \$12.95.

D. F. HOUSTON, *Secretary of Agriculture*.

WASHINGTON, D. C., April 23, 1914.

**3020. Adulteration and misbranding of mace. U. S. v. C. A. Murdock Mfg. Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 4949. I. S. No. 36721-e.)**

On March 13, 1913, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against C. A. Murdock Mfg. Co., a corporation, Kansas City, Mo., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 10, 1912, from the State of Missouri into the State of Oklahoma, of a quantity of mace which was adulterated and misbranded. The product was labeled: "Murdock's One oz. Pure Tropical Mace C. A. Murdock Mfg. Co. Kansas City. Prepared Mustard, Opt Baking Powder, Laundry Bluing, Coffees, etc."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Nonvolatile ether extract (per cent).....	27.86
Ash (per cent).....	1.77
Ash insoluble in hydrochloric acid (per cent).....	0.06
Crude fiber (per cent).....	3.58
Hefelmann's test for Bombay mace: Positive.	
Waage's test for Bombay mace: Positive.	

Adulteration of the product was alleged in the information for the reason that a substance, to wit, Bombay mace, had been substituted in whole or in part for real mace. Misbranding was alleged for the reason that the packages containing the product bore the statement on the label, "Pure Tropical Mace," which said statement was false and misleading, because it deceived the purchaser and the public generally into the belief that the product was composed entirely of a spice mace, when, as a matter of fact, it was composed in part of Bombay mace, an article having very little spice value. Misbranding was alleged for the further reason that each of the packages was labeled and branded so as to deceive and mislead the purchaser, it being stated on the labels that the product was pure tropical mace, which said statement misled and deceived the purchaser into the belief that the product was composed entirely of a spice mace, whereas it was composed in part of Bombay mace, a product having very little spice value.

On August 20, 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., May 6, 1914.

**3021. Misbranding of sardines. U. S. v. 38 Cases of Sardines. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 4971. S. No. 1643.)**

On January 10, 1913, the United States attorney for the Southern District of Texas, 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 38 cases of

sardines remaining unsold in the original unbroken packages and in possession of the Schuhmacher Co., Houston, Tex., alleging that the product had been shipped from the State of Massachusetts into the State of Texas, and charging misbranding, in violation of the Foods and Drugs Act. The product was labeled: (On cases) "48 cans Size  $\frac{3}{4}$ . Federal Sardines in Mustard. Packed by Lubec Sardine Co., Lubec Maine." (On cans) "Federal, average net weight 11 ounces, American Sardines Packed in Mustard Sauce made from selected mustard seed, vinegar, Cayenne pepper, salt and colored with turmeric. Packed at Lubec Washington Co., Maine by Lubec Sardine Co., Factories at Lubec and Belfast, Me. Serial 8117."

Examination of samples of the product by the Bureau of Chemistry of this department showed that the contents of the cans were 9.9 ounces on the average. Misbranding of the product was alleged in the libel for the reason that the cases, and the cans contained therein, did not contain, as they purported to contain, more than 9.9 ounces of sardines, and the labeling of the cans as containing 11 ounces of sardines was misleading and false, so as to deceive and mislead the purchaser as to the contents of the cans, and the offering for sale of said cans and cases of sardines, branded as aforesaid, was a deceit and a misbranding within the meaning of the act aforesaid.

On February 25, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, after relabeling the cans as containing 9.9 ounces of sardines, and that the costs of the proceedings should be paid out of the proceeds of the sale, and, if said proceeds were insufficient, the costs should be adjudged against said Schuhmacher Co. It was ordered, further, by the decree that the said Schuhmacher Co. might at any time before the sale pay all costs and execute bond in the sum of \$200 in conformity with section 10 of the act.

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

WASHINGTON, D. C., May 6, 1914.

**3022. Adulteration of prunes. U. S. v. 43 Boxes of Prunes. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 4972. S. No. 1644.)

On January 9, 1913, 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 43 boxes of prunes remaining unsold in the original unbroken packages and in the possession of Palmer & Pierce, New York, N. Y., alleging that the product had been shipped on or about January 4, 1913, by D. M. Welch & Son, New Haven, Conn., and transported from the State of Connecticut into the State of New York, and charging adulteration, in violation of the Food and Drugs Act. Adulteration of the product was alleged in the libel for the reason that it consisted in whole and in part of a filthy, decomposed, and putrid vegetable substance, to wit, decayed prunes.

On July 2, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

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

WASHINGTON, D. C., May 6, 1914.

**3023. Misbranding of brandy. U. S. v. 9 Cases of Brandy. Default decree of condemnation and forfeiture. Goods ordered released on bond.** (F. & D. No. 4973. S. No. 1646.)

On January 22, 1913, the United States attorney for the Southern District of Texas, 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 cases, each containing 12 bottles of so-called cognac brandy, remaining unsold in the original unbroken packages and in possession of Nicolini & Vaiani, Galveston, Tex., alleging