

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, regarding the curative or therapeutic effects thereof, appearing on the cartons, were false and fraudulent in that they were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of, or contained ingredients or medicinal agents effective, among other things, as a remedy for incipient consumption, and very beneficial in incipient consumption, and especially beneficial in the ills of children, when, in truth and in fact, it was not.

On July 2, 1919, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6911. Adulteration of milk. U. S. * * * v. William C. Waterman. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8565. I. S. Nos. 230-l, 5208-l, 362-m, 617-m, 2229-p.)

On January 14, 1919, the United States attorney for the District of New Hampshire, 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 C. Waterman, Claremont, N. H., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 27, 1916, June 28, 1916, September 18 and 19, 1916, and August 13, 1917, from the State of New Hampshire into the State of Massachusetts, of quantities of milk which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

ORGANISMS PER CC. DEVELOPING ON PLAIN AGAR AFTER 2 DAYS AT 37° C.

Shipment of—

June 27, 1916	-----	1,900,000
June 28, 1916	-----	5,500,000
Sept. 18, 1916	{ Sample A-----	1,640,000
	{ Sample B-----	6,700,000
Sept. 19, 1916	-----	1,050,000

ORGANISMS PER CC., BREED MICROSCOPIC COUNT.

Shipment of—

Aug. 13, 1917	{ Sample A-----	2,100,000
	{ Sample B-----	2,300,000

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On December 11, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6912. Adulteration and misbranding of vanilla extract. U. S. * * * v. Pabst Pure Extract Co., Inc., a corporation. Plea of guilty. Fine, 1 costs. (F. & D. No. 8706. I. S. No. 2430-m.)

On April 20, 1918, the United States attorney for the Western District of Virginia, 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 Pabst Pure Extract Co., Inc., a corporation, Harrisonburg, Va., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 25, 1917, from the State of Virginia into the State of North Carolina, of a quantity of an article, labeled in part "Pabst's Pure Vanilla * * * Extract * * * Manufactured and Guaranteed by Pabst Pure Extract Co., Inc., Harrisonburg, Va.," which was adulterated and misbranded.

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

Ethyl alcohol (per cent by volume)-----	22.14
Solids (per cent by weight)-----	23.43
Sucrose (per cent by weight)-----	20.72
Reducing sugar (per cent by weight)-----	1.75
Nonsugar solids (per cent by weight)-----	0.96
Ash (per cent by weight)-----	0.22
Vanillin (per cent by weight)-----	1.12
Lead number -----	0.34

This analysis indicates that the extract had been diluted with water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in whole or in part for pure vanilla extract, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Pure Vanilla * * * Extract," borne on the label of the bottles containing the article, regarding it and substances contained therein, was false and misleading in that it represented that the article was pure vanilla extract, 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 pure vanilla extract, whereas, in truth and in fact, it was not pure vanilla extract, but was a product composed in part of added water.

On February 10, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6913. Adulteration of milk. U. S. * * * v. H. P. Hood & Sons, a corporation. Plea of nolo contendere. Fine, \$500. (F. & D. No. 8711. I. S. Nos. 114-m, 471-m, 472-m, 474-m, 909-m, 2236-p.)

On July 17, 1918, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against H. P. Hood & Sons, a corporation, doing business at East Fairfield, Vt., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 18, 1916, July 19, 1916, August 21, 1916, August 22, 1916, August 23, 1916, and August 16, 1917, from the State of Vermont into the State of Massachusetts, of quantities of milk which was adulterated.