

defendants, in violation of the Food and Drugs Act, on or about September 15, 1917, and October 9, 1917, from the State of Maryland into the State of Georgia and on or about September 27, 1917, into the State of New York, of quantities of tomatoes which were adulterated. The article was variously labeled, "General Brand Tomatoes," "Terrapin Brand Tomatoes," and "Royal Club Brand Red Ripe Tomatoes," respectively.

Analyses of samples of the article by the Bureau of Chemistry of this department showed from the immersion refractometer readings of the juice at 20° C. the addition of water to the tomatoes.

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

On May 5, 1919, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$105 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

6990. Adulteration and misbranding of aspirin tablets. U. S. * * * v. 24 Packages of Aspirin Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9518. I. S. No. 6063-r. S. No. C-1016.)

On December 2, 1918, 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 a libel for the seizure and condemnation of 24 original unbroken packages of a product purporting to be aspirin tablets, at Joplin, Mo., alleging that the article had been shipped on or about November 15, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Acetylsalicylic Acid Aspirin."

Adulteration of the article was alleged in the libel for the reason that its strength and purity fell below the professed standard and quality under which it was sold, that is, the quality indicated by the label, to wit, "Aspirin 5 gr.," the said product in fact consisting of approximately 2.1 grains salicylic acid, together with corn starch, milk, sugar, talc, calcium carbonate, and a small amount of sodium citrate, with no acetylsalicylic acid present therein.

Misbranding of the article was alleged for the reason that the label borne on the packages was false and misleading in that it indicated that the product contained acetylsalicylic acid tablets, and [that the tablets] contained aspirin 5 grains, when, in fact, the said product consisted approximately of 2.1 grains salicylic acid, together with corn starch, milk, sugar, talc, calcium carbonate, and a small amount of sodium citrate, with no acetylsalicylic acid present therein, and for the further reason that it was an imitation of, and was offered for sale under the name of, another article, to wit, "Acetylsalicylic Acid Tablets Aspirin 5 Gr.," when, in fact, the article consisted of 2.1 grains salicylic acid, together with corn starch, milk, sugar, talc, calcium carbonate, and a small amount of sodium citrate, with no acetylsalicylic acid present therein.

On June 9, 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.

E. D. BALL, *Acting Secretary of Agriculture.*