

from which the juice had been removed and to which water had then been added.

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

Misbranding of the article was alleged for the reason that the statement concerning the article and the ingredients and substances contained therein, appearing on the label, to wit, "Tomato Paste Made from Whole Tomatoes and Peelings," was false and misleading in that it represented to purchasers of the article that it was tomato paste made from whole tomatoes and peelings, 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 tomato paste made from whole tomatoes and peelings, whereas, in fact and in truth, it was not tomato paste made from whole tomatoes and peelings, but was made from drained tomato pulp from which the juice had been removed and water added thereto.

On December 24, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$150.

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

7497. Misbranding of Renovine. U. S. * * * v. Van Vleet-Mansfield Drug Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10781. I. S. No. 6165-r)

On October 15, 1919, the United States attorney for the Western District of Tennessee, 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 Van Vleet-Mansfield Drug Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 22, 1918, from the State of Tennessee into the State of Oklahoma, of a quantity of an article, labeled in part "Renovine," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium bromid, salicylic acid, a laxative plant material, alcohol, and water. A small amount of cinchona alkaloids was also indicated.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for diseases of the heart and nerves, palpitation of the heart, shortness of breath, fluttering or irregular pulse, smothering or fainting spells, dizziness, ringing in the ears, spasms, epilepsy, nervousness, despondency, melancholia, hysteria, and all diseases peculiar to a weak and feeble heart or nervous derangements, and for change of life and nervous disorders, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements, included in the circular accompanying said article, falsely and fraudulently represented it as a treatment, remedy, and cure for stomach trouble and indigestion, any disease affecting the lungs, rheumatism, inebriety, excessive use of tobacco or other narcotics, kidney diseases, la grippe, pneumonia, malaria, or other fever, apoplexy, St. Vitus' dance, paralysis, nervous headache or backache, when, in truth and in fact, it was not.

On November 17, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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