

that each tablet contained the quantity of acetanilid prescribed by the United States National Formulary, whereas, in truth and in fact, each tablet did not contain the quantity of acetanilid prescribed by the Formulary, but contained a less amount, to wit, 0.263 grain of acetanilid per tablet. Further misbranding was alleged in that the article was sold as an imitation of and was offered for sale under the name of "Acetanilid Tablets (5 gr.)," whereas, in truth, the article did not contain 5 grains of acetanilid per tablet, but contained only 0.263 grain of acetanilid per tablet. Further misbranding was alleged in that the package containing acetanilid failed to bear a statement on the label thereof of the quantity or proportion of acetanilid contained in the tablets.

On June 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

8082. Misbranding of tomato paste. U. S. * * * v. Rosario Raspanti. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9815. I. S. No. 5962-r.)

On May 24, 1919, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Rosario Raspanti, Crystal Springs, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on June 24, 1918, from the State of Mississippi into the State of Louisiana, of a quantity of an article labeled in part "Turkey Brand Tomato Paste," which was adulterated.

Examination of the article by the Bureau of Chemistry of this department showed that the contents of the cans were short weight.

Misbranding of the article was alleged in the information in that the statement on the labels on the cans containing the article, regarding the article, to wit, "Net Weight 5 Ounces," was false and misleading in that it represented the net weight to be 5 ounces, whereas, in truth and in fact, it was less. Misbranding was further alleged in that the article was food in package form, and the contents were not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 5, 1919, Rosario Raspanti pleaded guilty to the information, and the court imposed a fine of \$25 and costs.

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

8083. Misbranding of extract ginger. U. S. * * * v. Noah Products Corporation, a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9850. I. S. No. 16113-r.)

On July 24, 1919, the United States attorney for the Eastern 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 Noah Products Corporation, a corporation, Richmond, Va., alleging shipment by said defendant company, on or about September 4, 1918, from the State of Virginia into the State of South Carolina, in violation of the Food and Drugs Act, of a quantity of extract ginger which was misbranded. The article was labeled in part, "2½ Ozs. Noah's Extract Ginger. Noah Products Corporation, Richmond, Va."

Examination of the product by the Bureau of Chemistry of this department showed that it was short volume.

Misbranding of the article was alleged in the information for the reason that the statement "2½ Ozs," borne on the labels attached to the bottles containing

the article, was false and misleading in that it represented that the contents of said bottles was not less than $2\frac{1}{2}$ fluid ounces, whereas, in truth and in fact, the contents of said bottles was not $2\frac{1}{2}$ fluid ounces but was a less amount.

On October 8, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

8084. Adulteration and misbranding of vinegar. U. S. * * * v. Fred F. Braswell (Richmond Vinegar Co.). Plea of guilty. Fine, \$100.
(F. & D. No. 9903. I. S. Nos. 1720-p, 3631-p, 3632-p, 4203-p.)

On July 24, 1919, the United States attorney for the Eastern 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 Fred F. Braswell (Richmond Vinegar Co.), Richmond, Va., alleging shipment by said defendant, on or about October 3, and June 19, 1917, and May 16, 1918, in violation of the Food and Drugs Act, from the State of Virginia into the State of North Carolina, of a quantity of vinegar which was adulterated and misbranded. The article was labeled in part, "Gold Medal Apple Vinegar Reduced to 4% strength," "Gold Medal Pure Apple Products Vinegar," or "Pride Distilled Colored Vinegar," and "Richmond Vinegar Co., Richmond, Va. Distributors."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the apple vinegar in the shipment of October 3 had an acidity of 3.57 grams of acetic acid per 100 cc., and in the shipment of June 19, an acidity of 3.82 grams per 100 cc. The distilled vinegar in the shipment of May 16 had an acidity of 3.72 grams acetic acid per 100 cc., and the apple products vinegar in the shipment of May 16 was made from waste apple products.

Adulteration of the article was alleged in the libel with respect to the vinegar labeled "Apple Vinegar * * * Reduced to 4% Strength," in that water had been mixed and packed with, and substituted in whole or in part for, apple vinegar reduced to 4 per cent strength. Adulteration was alleged with respect to the vinegar labeled "Pure Apple Products Vinegar" for the reason that a vinegar made from waste apple products had been mixed and packed with, and substituted in whole or in part for, pure apple products vinegar, which the product purported to be. Adulteration was alleged with respect to the vinegar labeled "Distilled Colored Vinegar" for the reason that excessive water had been mixed and packed with, and substituted in whole or in part for, distilled colored vinegar, which the product purported to be.

Misbranding of the apple vinegar in each shipment was alleged for the reason that the statement "Apple Vinegar * * * Reduced to 4% Strength," borne on the barrels containing the article, was false and misleading, and deceived and misled the purchaser, in that it represented that the articles were apple vinegar reduced to 4 per cent strength, whereas, in truth and in fact, the articles were not apple vinegar reduced to 4 per cent strength, but were a mixture of less than 4 per cent strength, composed in part of water. Misbranding was alleged for the further reason that the above shipments comprised an imitation of, and were offered for sale under the distinctive name of, another article, to wit, apple vinegar reduced to 4 per cent strength.

Misbranding was alleged with respect to the product labeled "Pure Apple Products Vinegar" in that the statement borne on the barrels containing the article was false and misleading and deceived and misled the purchaser, in that it represented that the article was pure apple products vinegar, whereas, in truth and in fact, it was not pure apple products vinegar, but was a vinegar made from waste apple products. Misbranding was also alleged with