

On March 11, 1919, pleas of guilty to the information were entered by the defendants, and the court imposed a fine of \$50 and costs.

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

8535. Misbranding of cottonseed meal. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 9858. I. S. No. 15424-p.)

On July 18, 1919, the United States attorney for the Western District of Arkansas, 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 Osage Cotton Oil Co., a corporation, doing business at Fort Smith, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 4, 1918, from the State of Arkansas into the State of Michigan, of a quantity of cottonseed meal which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained 7.21 per cent of ammonia, 37.06 per cent of protein, and 12.93 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Ammonia $8\frac{1}{2}$ to $9\frac{1}{2}$ % Protein 43 to 48.02 % * * * Crude Fiber 12 to 8 %," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than $8\frac{1}{2}$ per cent of ammonia, not less than 43 per cent of protein, and not more than 12 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than $8\frac{1}{2}$ per cent of ammonia, not less than 43 per cent of protein, and not more than 12 per cent of crude fiber, whereas, in truth and in fact, the article contained less than $8\frac{1}{2}$ per cent of ammonia, less than 43 per cent of protein, and more than 12 per cent of crude fiber, to wit, approximately 7.21 per cent of ammonia, approximately 37.06 per cent of protein, and approximately 12.93 per cent of crude fiber.

On January 2, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

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

8536. Misbranding of apples. U. S. * * * v. Howard M. Bond and Allen B. Bond (Bond Bros.). Plea of guilty. Fine, \$5. (F. & D. No. 9856. I. S. No. 13724-r.)

On October 3, 1919, 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 Howard M. Bond and Allen B. Bond, copartners, trading as Bond Bros., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about August 23, 1918, from the State of Virginia into the State of New York, of a quantity of apples, contained in barrels, which were misbranded.

Misbranding of the articles was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 26, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

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

8537. Adulteration and misbranding of rye shorts. U. S. * * * v. Langenberg Milling Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 9891. I. S. No. 18051-r.)

On July 28, 1919, 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 the Langenberg Milling Co., a

corporation, Republic, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about April 30, 1918, from the State of Missouri into the State of Pennsylvania, of a quantity of an article, invoiced as "Rye Shorts," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed the presence of corn tissues.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, corn feed material, 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 rye shorts, which the article purported to be.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 8, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

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

8538. Adulteration and misbranding of alleged olive oil. U. S. * * * v. 5 Cases of Imitation Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10070. I. S. No. 5529-r. S. No. C-1162.)

On April 21, 1919, the United States attorney for the District of Minnesota, 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 5 cases of imitation olive oil, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by Meyer & Lange, New York, N. Y., on or about July 1, 1918, from the State of New York into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance for the reason that cottonseed and peanut oils had been substituted wholly for olive oil.

Misbranding was alleged in substance for the reason that the label and brand, "Umberto Albertini," together with certain designs and devices representing medallions and the monogram "U. A.," were misleading, and deceived and misled the purchaser into believing that the article was an Italian olive oil, whereas, in fact, it was a mixture of cottonseed and peanut oils.

On July 16, 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 be destroyed by the United States marshal.

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

8539. Misbranding of Prescription 1000 Internal and Prescription 1000 Injection. U. S. * * * v. 45 Bottles of Prescription 1000 Internal and 30 Bottles of Prescription 1000 Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10348. I. S. Nos. 15736-r, 15743-r. S. No. E-1419.)

On May 19, 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 a libel for the seizure and condemnation of 45 bottles of Prescription 1000 Internal and 30 bottles of Prescription 1000 Injection, remaining in the original unbroken packages at Petersburg, Va., alleging that the article had been shipped by the Reese Chemical Co., Cleveland, Ohio, on or about April 15, 1919, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Prescription 1000 Injection consisted of a dilute aqueous solution of potassium permanganate, and that the Prescription 1000 Internal consisted essentially of an alkaline emulsion of balsam of copaiba flavored with methyl salicylate.