

14159. Adulteration of butter. U. S. v. Bozeman Creamery Co. Plea of guilty. Fine, \$25. (F. & D. No. 19737. I. S. No. 20134-v.)

On February 1, 1926, the United States attorney for the District of Montana, 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 Bozeman Creamery Co., a corporation, Bozeman, Mont., alleging that the said company had sold, under a guarantee that the article would meet the requirements of the Federal food and drugs act, a quantity of butter which was adulterated, and that the Henningsen Produce Co., the purchaser thereof, had shipped the said butter, on or about June 12, 1925, from the State of Montana into the State of California, in further violation of said act. The article was labeled in part: "Bozeman, Mont. Bozeman Cry. Co."

Adulteration of the article was alleged in the information for the reason that a substance containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923, which the said article purported to be.

On February 23, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

14160. Adulteration and misbranding of quinine bisulphate tablets. U. S. v. the National Drug Co. Plea of nolo contendere. Fine, \$12.50. (F. & D. No. 19311. I. S. No. 13041-v.)

On January 21, 1925, the United States attorney for the Eastern District of Pennsylvania, 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 National Drug Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, on or about April 8, 1924, from the State of Pennsylvania into the State of Connecticut, of a quantity of quinine bisulphate tablets which were adulterated and misbranded. The article was labeled in part: "1,000 Compressed Tablets Sugar Coated White Quinine Bisulphate 2 grain * * * Manufactured by The National Drug Co. Philadelphia, Pa."

Analysis of samples of the tablets showed that they contained $1\frac{1}{2}$ grains of quinine bisulphate each.

Adulteration of the article was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that each tablet was represented to contain 2 grains of quinine bisulphate, whereas each of said tablets contained less than 2 grains of quinine bisulphate.

Misbranding was alleged for the reason that the statement, to wit, "Tablets * * * Quinine Bisulphate 2 grain," borne on the labels, was false and misleading, in that the said statement represented that each of the said tablets contained 2 grains of quinine bisulphate, whereas each of said tablets contained less than 2 grains of quinine bisulphate.

On March 19, 1926, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$12.50.

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

14161. Adulteration and misbranding of nitroglycerin tablets, caffeine alkaloid tablets, and morphine diacetyl tablets. U. S. v. the National Drug Co. Plea of nolo contendere. Fine, \$12.50. (F. & D. No. 18754. I. S. Nos. 879-v, 880-v, 881-v, 883-v, 1084-v, 1087-v, 1092-v.)

On September 12, 1924, the United States attorney for the Eastern District of Pennsylvania, 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 National Drug Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, from the State of Pennsylvania, on or about October 3 and 5, 1923, respectively, into the State of Maryland, and on or about October 10 and 12, 1923, respectively, into the State of Georgia, of various consignments of nitroglycerin tablets, caffeine alkaloid tablets, and morphine diacetyl tablets which were adulterated and misbranded.

Analysis by the Bureau of Chemistry of this department of two samples of each kind of the nitroglycerin tablets, two samples of the caffeine alkaloid tablets, and one sample of the morphine diacetyl tablets showed that the nitroglycerin tablets labeled "1/50 Grain" contained $1/213$ and $1/143$ grain,

respectively, of nitroglycerin per tablet, and those labeled "1/100 Grain" contained 1/333 and 1/185 grain, respectively, of nitroglycerin per tablet, the caffeine alkaloid tablets, labeled "1/2 Grain," contained 44/100 and 43/100 grain, respectively, of caffeine alkaloid per tablet, and the morphine diacetyl tablets, labeled "1/24 grain," contained 1/28 grain of morphine diacetyl per tablet.

Adulteration of the articles was alleged in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the labels represented the said tablets to contain 1/50 grain of nitroglycerin, 1/100 grain of nitroglycerin, 1/2 grain of caffeine alkaloid, or 1/24 grain of morphine diacetyl, as the case might be, whereas each of said tablets contained less of the product than represented on the label thereof.

Misbranding was alleged with respect to the 1/100 grain nitroglycerin tablets consigned into Maryland, October 5, 1923, for the reason that the statement, to wit, "100 Tablet Triturates Nitroglycerin 1-100 Grain In each Tablet Manufactured and Guaranteed by The National Drug Co. Philadelphia Pa.," borne on the labels attached to the bottles containing the article, was false and misleading, in that it represented that each of said tablets contained 1/100 grain of nitroglycerin, whereas each of said tablets contained less than 1/100 grain of nitroglycerin.

Misbranding was alleged with respect to the remainder of the products for the reason that the statements, to wit, "100 Hypodermic Tablets Nitroglycerin 1-50 Grain Manufactured and Guaranteed by The National Drug Co. Philadelphia, Pa. under the Food and Drugs Act June 30, 1906. Serial No. 734," "300 Hypodermic Tablets Caffeine Alkaloid 1-2 Grain in each tablet Manufactured and Guaranteed by The National Drug Co. Philadelphia, Pa. Under the Food and Drugs Act June 30th, 1906. Serial No. 734," "500 Tablet Triturates Morphine Diacetyl 1-24 Grain Guaranteed by The National Drug Co. under the Food and Drugs Act, June 30th, 1906. Serial No. 734," "500 Tablet Triturates Nitroglycerin 1-50 Grain in each tablet Manufactured and Guaranteed by The National Drug Co. Philadelphia, Pa. under the Food and Drugs Act June 30th, 1906. Serial No. 734," "500 Hypodermic Tablets Nitroglycerin 1-100 Grain in each tablet Manufactured and Guaranteed by The National Drug Co. Philadelphia, Pa. under the Food and Drugs Act June 30th, 1906. Serial No. 734," "500 Tablet Triturates Caffeine (Alkaloid) 1-2 grain Manufactured and Guaranteed by The National Drug Co. Philadelphia, Pa. under the Food and Drugs Act June 30th, 1906. Serial No. 734," borne on the labels attached to the bottles containing the respective products, were false and misleading, in that the said statements represented that each of said tablets contained the amount of the product declared on the label thereof, and that they conformed with the food and drugs act of June 30, 1906, whereas the said tablets contained less than declared on the labels, and did not conform to the said food and drugs act.

On March 19, 1926, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$12.50.

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

14162. Adulteration of walnuts. U. S. v. 29 Bags of Walnuts. Default decree of condemnation and forfeiture. Decomposed portion destroyed; good portion sold. (F. & D. No. 20767. I. S. No. 362-x. S. No. W-1845.)

On January 15, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 29 bags of walnuts, remaining in the original unbroken packages at Denver, Colo., and consigned by S. H. Kress & Co., Houston, Tex., alleging that the article had been shipped from Houston, Tex., on or about December 12, 1925, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled: (Bag) "New Crop B King Valley Walnuts Selected and Packed by B D I Company I L Products of France," (tag) "Kress Houston Texas Store S. H. Kress & Co. Denver Colo."

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