

It was alleged in the libel that the article was misbranded, in that the statement "Net Weight 1 Lb," borne on the label, was false and misleading and deceived and misled purchasers, in that the product was short weight and each jar of the said preserves did not weigh 1 pound net. Misbranding was alleged for the further 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 April 5, 1926, no claimant having appeared for the property, a decree was entered, finding the material allegations of the libel to be true and adjudging the product misbranded, and it was ordered by the court that the product be sold by the United States marshal and that the statement "Net Weight 1 Lb." be erased from the cases and containers.

W. M. JARDINE, *Secretary of Agriculture.*

**14774. Misbranding of cottonseed cake. U. S. v. 400 Sacks of Cottonseed Cake. Consent decree entered, adjudging product misbranded and ordering its release under bond. (F. & D. No. 21438. I. S. No. 4175-x. S. No. C-5285.)**

On December 6, 1926, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of cottonseed cake, at Rushville, Nebr., alleging that the article had been shipped by the Traders Oil Mill Co., from Fort Worth, Tex., on or about November 24, 1926, and transported from the State of Texas into the State of Nebraska, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cottonseed Cake \* \* \* Manufactured by Traders Mill Company Fort Worth, Texas Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

It was alleged in the libel that the article was misbranded, in that the statement, "Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On December 13, 1926, the Traders Oil Mill Co., Fort Worth, Tex., having admitted the allegations of the libel and having consented to the entry of a judgment of condemnation and forfeiture of the property, a decree was entered, finding the product misbranded and ordering that it be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that it not be sold or otherwise disposed of until relabeled by obliterating the statement "43% Protein" and substituting therefor the statement, "41% Protein."

W. M. JARDINE, *Secretary of Agriculture.*

**14775. Adulteration of canned salmon. U. S. v. 95 Cases, et al., of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21400, 21401, 21402. I. S. Nos. 10579-x, 10581-x, 10582-x. S. Nos. W-2046, W-2047, W-2048.)**

On November 22, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,946 cases of canned salmon, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Alaska Packers Assoc., alleging that the article had been shipped in various consignments from Loring, Naknek, and Ugasik, Alaska, respectively, a portion of the product having been shipped on or about September 1, 1926, and the remainder thereof having arrived at San Francisco, on or about September 1 and October 1, 1926, respectively, and that it had been transported from the Territory of Alaska into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled, variously: "Argo Brand" (or "Walrus Brand" or "Seward Brand" or "Lilly Brand" or "Naha Bay Brand" or "Rocky Point Brand") "Alaska Packers Association San Francisco."

It was alleged in the libels that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On December 13, 1926, the Alaska Packers Assoc., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and

it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$9,100, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**14776. Adulteration and misbranding of nux vomica tincture, stramonium tincture, belladonna leaves tincture, aconite root tincture, atropine sulphate tablets, and morphine sulphate tablets. U. S. v. The Drug Products Co., Inc. Plea of guilty. Fine, \$2,000. (F. & D. No. 19654. I. S. Nos. 13016-v, 13017-v, 13019-v, 13020-v, 13034-v, 13039-v, 14325-v, 14326-v.)**

On October 22, 1926, the United States attorney for the Eastern District of New York, 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 Drug Products Co., Inc., Long Island City, N. Y., alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about April 12 and 14, 1924, respectively, from the State of New York into the State of New Jersey, of quantities of nux vomica tincture, stramonium tincture, belladonna leaves tincture, aconite root tincture, atropine sulphate tablets, and morphine sulphate tablets, and on or about October 27, 1924, from the State of New York into the State of Massachusetts, of quantities of morphine sulphate tablets and atropine sulphate tablets, respectively, which products were adulterated and misbranded. The articles were labeled, variously: "Tincture \* \* \* Nux Vomica U. S. P."; "Tincture \* \* \* Stramonium U. S. P."; "Tincture \* \* \* Belladonna Leaves U. S. P."; "Tincture \* \* \* Aconite Root U. S. P."; "Tablets \* \* \* Atropine Sulphate 1-200 Grain"; "Tablets \* \* \* Each tablet contains Morphine Sulphate  $\frac{1}{2}$  grain," and were further labeled, "The Drug Products Co. Inc."

Analysis by the Bureau of Chemistry of this department of samples of the articles showed that: The nux vomica tincture yielded not more than 0.208 gram of the alkaloids of nux vomica per 100 mls, which is 12 per cent below the minimum requirement of the pharmacopoeia; the stramonium tincture yielded not more than 0.011 gram of the alkaloids of stramonium per 100 mls, which is 51 per cent below the minimum requirement of the pharmacopoeia; the belladonna leaves tincture yielded not less than 0.052 gram of the alkaloids of belladonna leaves per 100 mls, which is 57 per cent above the maximum requirement of the pharmacopoeia; the aconite root tincture was less than half the strength required by the pharmacopoeia; the two samples of morphine sulphate tablets, labeled "1/2 grain," contained about 0.44 grain of morphine sulphate in each case; a sample of the atropine sulphate tablets, labeled "1/200 Grain," from the shipment into New Jersey contained codeine and a sample from the shipment into Massachusetts contained 1/155 grain of atropine sulphate, which is 29 per cent above the declared amount.

Adulteration of the nux vomica tincture, stramonium tincture, belladonna leaves tincture, and aconite root tincture, was alleged in the information for the reason that they were sold under names recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopoeia, official at the time of investigation of the articles, in that the nux vomica tincture yielded not more than 0.208 gram of the alkaloids of nux vomica per 100 mls, whereas the pharmacopoeia provided that nux vomica tincture should yield not less than 0.237 gram of the alkaloids of nux vomica per 100 mls; the stramonium tincture yielded not more than 0.011 gram of the alkaloids of stramonium per 100 mls, whereas the pharmacopoeia provided that it should yield not less than 0.0225 gram of the alkaloids of stramonium per 100 mls; the belladonna leaves tincture yielded not less than 0.052 gram of the alkaloids of belladonna leaves per 100 mls, whereas the pharmacopoeia provided that it should yield not more than 0.033 gram of the alkaloids of belladonna leaves per 100 mls; and the aconite root tincture yielded not more than 0.022 gram of the ether-soluble alkaloids of aconite per 100 mls, and upon biological assay, the minimum lethal dose per gram of body weight of guinea pig was more than 0.0004 mil, namely, not less than 0.004 mil per gram of body weight of guinea pig, whereas said pharmacopoeia provided that aconite root tincture should yield not less than 0.045 gram of the ether-soluble alkaloids of aconite per 100 mls, and that upon biological assay the minimum lethal dose should not be greater than 0.0004 mil for each gram of body weight of guinea pig, and the standards of