

Lucca Italy, Net Contents Full Quarter Gallon, Olio Puro D'Oлива, Garantito Produzione Propria," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article was olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, kingdom of Italy, and that each of said cans contained one full quarter gallon net of the article; 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 olive oil, and that said article was a foreign product, to wit, an olive oil produced in Lucca, kingdom of Italy, and that each of said cans contained one full quarter gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of cottonseed oil and was not a foreign product, to wit, an olive oil produced in Lucca, kingdom of Italy, but was a domestic product, to wit, a product manufactured in the United States of America, and each of said cans did not contain one full quarter gallon net of the article, but contained a less amount; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil. Misbranding of the article in each of the shipments was alleged for the further 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 December 31, 1918, the defendants entered a plea of guilty to the information, and the court imposed a fine of \$210.

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

6850. Adulteration and misbranding of olive oil. U. S. * * * v. 2 Cases of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9186. I. S. No. 12510-r. S No. E-1071.)

On July 18, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of two cases of olive oil, consigned on or about June 12, 1918, remaining unsold in the original unbroken packages at Peabody, Mass., alleging that the article had been shipped by Mournmouris & Colmiris, New York, N. Y., and transported from the State of New York into the State of Massachusetts, charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled "Olive Oil."

Adulteration of the article was alleged in the libel of information for the reason that it consisted wholly or in part of cottonseed oil and corn oil, which had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding of the article was alleged for the reason that the labels of the packages bore a certain statement which was false and misleading, that is to say, the words "Olive Oil," in that said product was not olive oil; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil, whereas, in truth and in fact, it was not olive oil.

On January 10, 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 should be properly branded, denoting that the contents consisted almost wholly of cottonseed oil, instead of olive oil, and should be sold at public auction by the United States marshal.

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