

of domestic manufacture packed in the United States, and for the further reason that it was an imitation of, and offered for sale under the distinctive name of, another article, to wit, olive oil.

On March 28, 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 sold by the United States marshal at private sale.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7075. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 4 Cases of Olive Oil (so called). Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 9644. I. S. No. 12715-r. S. No. E-1227.)**

On January 30, 1919, the United States attorney for the District of Connecticut, 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 4 cases of olive oil, so called, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about December 2, 1918, by Adolph Panarelli, New York, N. Y., and transported from the State of New York into the State of Connecticut, charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. Said article was labeled in part: "Qualita Superiore Olio Puro Tripolitania Garantito Sotto Qualsiasi Analisi Chimica (picture of map of Italy and figure of woman holding Italian flag)" and " $\frac{1}{2}$  Gallon Net" and " $\frac{1}{4}$  Gallon Net," as the case might be.

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

Misbranding of the article was alleged for the reason that the labels on the cans bore certain statements and designs regarding it which were false and misleading, that is to say, the statements on the labels, to wit, "Qualita Superiore Olio Puro," together with the pictorial design, which statements, words, and designs were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not; and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture, packed in the United States; 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. Misbranding of the article 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 in terms of weight, measure, or numerical count.

On March 28, 1919, the said Adolph Panarelli, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7076. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 24 1-gallon Cans, 45 ½-gallon Cans, and 40 Quart Cans of Olive Oil (so called). Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9645. I. S. No. 12716-r. S. No. E-1228.)**

On January 30, 1919, the United States attorney for the District of Connecticut, 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 24 1-gallon cans, 45 ½-gallon cans, and 40 quart cans of olive oil, so called, remaining unsold in the original unbroken packages at Hartford, Conn., alleging that the article had been shipped on or about June 27, 1918, by Crisafulli Bros., New York, N. Y., and transported from the State of New York into the State of Connecticut, charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Finest Quality Table Oil \* \* \*."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil and corn oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted almost wholly for olive oil, which the article purported to be.

It was alleged in substance that the article was misbranded for the reason that the cans bore certain statements and designs regarding the article which were false and misleading; that is to say, the following words, "Finest Quality Table Oil La Migliore Brand Insuperabile (picture of olive tree), Cotton Salad Oil Compound with" in inconspicuous type, and the following in larger type, "Extra Fine Olive Oil," which statements, words, and designs were intended to be of such a character as to induce the purchaser to believe that the article was olive oil, when, in truth and in fact, it was not.

On March 14, 1919, the said Crisafulli Bros., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7077. Misbranding of cottonseed meal. U. S. \* \* \* v. 1,030 Sacks, More or Less, of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9646. I. S. Nos. 7498-r, 7499-r. S. No. C-1045.)**

On January 31, 1919, the United States attorney for the Eastern District of Illinois, 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 1,030 sacks of cottonseed meal, remaining unsold in the original unbroken packages at East St. Louis, Ill., alleging that the article had been shipped on or about December 1, 1917, and February 21, 1918, by the Searcy Oil & Ice Co., Searcy, Ark., and transported from the State of Arkansas into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Butterfly Brand Cottonseed Meal," and a portion of the shipment, " \* \* \* not less than 6.0% of crude fat, 38.5% of crude protein, not more than 12.0% crude fiber," and another portion, " \* \* \* protein 38.60%, fat 6.00%, crude fiber 12.00%."

Misbranding of the article was alleged in the libel for the reason that the [labeling as to the] contents of the sacks was false and misleading and deceived and misled the purchaser in that the contents of 530 sacks of the shipment con-