

On September 18, 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.*

7510. Adulteration and misbranding of olive oil. U. S. * * * v. Nicholas Macris and Peter Razis (Razis & Macris). Pleas of guilty. Fine, \$200. (F. & D. No. 10780. I. S. No. 12533-r.)

On October 15, 1919, the United States attorney for the Southern 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 Nicholas Macris and Peter Razis, copartners, trading as Razis & Macris, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on August 3, 1918, from the State of New York into the State of Massachusetts, of a quantity of an article, labeled in part, in Greek, "Pure Olive Oil," which was adulterated and misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of cottonseed oil, and that the cans of the gallon, half-gallon, and quarter-gallon sizes were short volume.

Adulteration of the article was alleged in the information for the reason that a product composed essentially of cottonseed oil and which contained only a trace of, if any, olive oil had been substituted in whole for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "ΓΝΗΣΙΟΝ ΕΛΑΙΟΝ (Pure Olive Oil) ΚΑΛΑΜΩΝ," "Net Contents Full Quarter Gallon," or "Net Contents Full Half Gallon," or "Net Contents Full One Gallon," not corrected by the statement in inconspicuous type, "A Compound Cotton Seed Oil Flavored With," together with the designs and devices of Greek flags, olive branches, and the figure of Hermes, 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 the product was pure olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Greece, and that each of said cans contained 1 full quarter gallon, or 1 full half gallon, or 1 full 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 pure olive oil, and that it was a foreign product, to wit, olive oil produced in the kingdom of Greece, and that each of said cans contained 1 full quarter gallon, or 1 full half gallon, or 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a product composed of cottonseed oil with only a trace of, if any, olive oil, and was not a foreign product, to wit, an olive oil produced in the kingdom of Greece, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full quarter gallon or 1 full half gallon, or 1 full gallon net of the article, but contained a less amount, and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Greece, and for the further reason that it was a product composed of cottonseed oil which contained only a trace of, if any, olive oil, prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that, by the statements borne on the label, it purported to

be a foreign product, when not so. 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 November 24, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$200.

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

7511. Misbranding of Big G. U. S. * * * v. 11½ Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11173. I. S. No. 15130-r. S. No. E-1693.)

On September 8, 1919, 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 a libel for the seizure and condemnation of 11½ dozen bottles of Big G, consigned by the Evans Chemical Co., Cincinnati, Ohio, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about August 12, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Big G * * * Abnormal mucous discharges, Catarrh, Hay Fever and Inflamed, Ulcerated mucous membrane or linings of the Mouth, Nose, Throat, Eye, Ear and the Urinary Tract * * *;" (booklet) "Big G * * * Catarrh—Chronic, of the Head.—* * * Big G may be beneficial. * * * Conjunctivitis, Inflammation of the Eye.—* * * Coryza—Nasal Catarrh.—* * * Cystitis—Inflammation of the Bladder.—* * *. Gastritis—Catarrh of the Stomach.—* * * Haemorrhoids—Piles.—* * * Hay Fever.—* * * Throat Troubles—Pharyngitis, etc., sore mouth, discharges from the ear and open sores and wounds.—* * *. Gonorrhoea.—* * *. Gleet * * * Gonorrhoeal Prostatitis.—* * * Gonorrhoeal Cystitis.—* * * Balanitis.—* * * Bubo.—* * * Leucorrhoea—Whites—Catarrh of the Vagina. * * * Gonorrhoea in Women.—* * *."

It was alleged in substance in the libel that the article was misbranded in that the labels borne on the carton and bottle and [in] the booklet accompanying the article contained certain statements, designs, and devices, regarding the curative or therapeutic effects of the article and the ingredients and substances contained therein, as above in part set forth, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by said statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On December 15, 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.*

7512. Misbranding of Her-Vo. U. S. * * * v. 7½ Dozen Bottles of Her-Vo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11179. I. S. No. 15103-r. S. No. E-1696.)

On September 12, 1919, 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 a libel for the seizure and condemnation of 7½ dozen packages of Her-Vo, consigned by the Her-Vo