

district libels praying the seizure and condemnation of 200 bags of Molletts B Feed Meal White and 400 bags of Molletts B Feed Meal Yellow, remaining unsold in the original unbroken packages at Newport News, Va., alleging that the articles had been shipped on or about October 3, 1918, by the Lake Erie Milling Co., Toledo, Ohio, and transported from the State of Ohio into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each case was alleged in the libels for the reason that a certain substance, to wit, ground corn cob, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the article.

On or about August 6, 1919, the said Lake Erie Milling Co., claimant, 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 said claimant upon the payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$3,000, in conformity with section 10 of the act.

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

7621. Misbranding of Estrellita Brand Pure Refined Vegetable Oil Compounded with Pure Olive Oil. U. S. * * * v. Massolo Oil Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 11345. I. S. No. 16242-r.)

On February 19, 1920, 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 the Massolo Oil Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on September 21, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Estrellita Brand Pure Refined Vegetable Oil Compounded with Pure Olive Oil for Salad and Cooking," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the product to consist largely of cottonseed and peanut oils and to be short volume.

Misbranding of the article was alleged in the information for the reason that the statements borne on the label, to wit, "Vegetable Oil Compounded with Pure Olive Oil" and "One Gallon Net," were false and misleading in that they represented to purchasers of the article that same was compounded with olive oil in an appreciable proportion, and that each can contained not less than 1 gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it was compounded with olive oil in an appreciable proportion, and that each can thereof contained not less than 1 gallon of the article, whereas, in fact and in truth, it was not compounded with an appreciable proportion of olive oil, and each can did not contain 1 gallon thereof. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents thereof was not marked on the outside of the package in terms of weight, measure, or numerical count.

On March 10, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

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