

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of cottonseed oil, and that the cans were short volume.

Adulteration of the article was alleged in that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength; it was further adulterated in that a substance, to wit, cottonseed oil, had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged in that the statements on the cans containing the article, regarding the article, to wit, "Finest Quality Table Oil Insuperabile Termini Imerese" and "Net Contents One Gallon," together with the design and device of an olive tree with natives gathering olives, not corrected by the statement in inconspicuous type in an inconspicuous place, "Cottonseed oil slightly flavored with olive oil," were false and misleading in that they represented that the said article was olive oil, and that each of the cans contained 1 full gallon of the article, whereas said article was not olive oil, but was a mixture composed in large part of cottonseed oil, and each of said cans did not contain 1 full gallon of the article, but contained a less amount; said article was further misbranded in that the labeling as above set forth was [intended] to deceive and mislead the purchaser into the belief that the said article was olive oil, and that each can contained 1 full gallon of the article, whereas the article was not olive oil, but was a mixture composed in large part of cottonseed oil, and each of the cans contained less than 1 full gallon of the article. The article was further misbranded in 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 March 18, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

**7834. Misbranding of olive oil. U. S. \* \* \* v. F. Romeo & Co. Plea of guilty. Fine, \$25. (F. & D. No. 11957. I. S. No. 16019-r.)**

On March 2, 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 F. Romeo & Co., a corporation, doing business at New York, N. Y., alleging shipment by the above company, in violation of the Food and Drugs Act, as amended, on or about May 28, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Italian Product Virgin Olive Oil Agash Brand Italy \* \* \* A. Gash, Importer and Packer Oneglia Italy N. Y. U. S. A.," which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the cans were short volume.

Misbranding of the article was alleged in the information in that the statement on the label on the can containing the article, to wit, "Net Contents One Full Quart," was false and misleading in that it represented to the purchaser of the said article that each can contained not less than 1 quart of the article, whereas each can contained less than 1 quart. It was further misbranded in that the article was food in package form, and the quantity of the contents of the said package was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 3, 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.*