

unbroken packages at St. Louis, Mo., alleging that the article had been shipped from Indianapolis, Ind., on or about November 15, 1921, and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "From Steinwender Stoffregen Coffee Co."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in large part of a filthy and decomposed vegetable substance.

On January 3, 1922, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10190. Adulteration and misbranding of olive oil. U. S. * * * v. 2 Cases of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8904. I. S. Nos. 2676-p, 2677-p, 2678-p. S. No. E-1003.)

On March 25, 1918, the United States attorney for the District of Rhode Island, 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 2 cases of olive oil, remaining unsold in the original unbroken packages at Providence, R. I., consigned by R. Emilo & M. Campolieti, New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about January 30, 1918, and transported from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. One case of the article was labeled in part, (can) "Olio Puro D'Oliua Lucca Italy Net Contents Full Quarter Gallon Olio Puro D'Oliua Garantito Produzione Propria." The remaining case of the article was labeled in part, (can) "Finest Quality Olive Oil Extra Pure Termini Imerese Sicilia-Italia $\frac{1}{2}$ Gallon Net Guaranteed Absolutely Pure."

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 and lower and injuriously affect its quality and strength and had been substituted in part for olive oil.

Misbranding was alleged in substance for the reason that the above-quoted statements "Olive Oil" and "Olio Puro D'Oliua," respectively, were false and misleading and deceived and misled the purchaser; for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil; for the further reason that the said article 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; and for the further reason that the said article purported to be a foreign product, when in fact it was a product of domestic manufacture, packed in the United States.

On March 31, 1921, 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 relabeled to show the same to be cottonseed oil and the quantity of the contents of each can to be 1 pint, 13 fluid ounces, and that it be sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10191. Adulteration and misbranding of evaporated milk. U. S. * * * v. Van Camp Packing Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9243. I. S. No. 3720-m.)

On December 9, 1918, the United States attorney for the Eastern District of Michigan, 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 Van Camp Packing Co., a corporation, having a place of business at Adrian, Mich., alleging shipment by said company, under the name of the Van Camp Products Co., in violation of the Food and Drugs Act, on or about June 23, 1916, from the State of Michigan into the State of Massachusetts, of a quantity of evaporated milk which was adulterated and misbranded. The article was labeled in part: "Van Camp's Sterilized Evaporated Milk * * * The Van Camp Packing Co. Indianapolis, Ind."

Adulteration of the article was alleged in the information for the reason that an insufficiently condensed milk product, low in fat, had been substituted in whole or in part for evaporated milk, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article was evaporated milk, and for the further reason that the article was labeled as aforesaid so as to mislead and deceive the purchaser into the belief that it was evaporated milk, whereas, in truth and in fact, it was not evaporated milk but was an insufficiently condensed milk product, low in fat.

On September 14, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10192. Adulteration and misbranding of olive oil. U. S. * * * v. 3 Cases of Alleged Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9471. I. S. Nos. 14781-r, 14782-r. S. No. E-1168.)

On November 27, 1918, the United States attorney for the District of New Jersey, 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 2 cases, each containing 40 quart cans, and one case containing 20 half-gallon cans, of alleged olive oil, at Paterson, N. J., alleging that the article had been shipped by G. P. Papadopoulos, New York, N. Y., on or about October 8, 1918, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (cans) "Olio IL Toscano Brand Lucca-Style * * *."

Adulteration of the article was alleged in substance in the libel for the reason that cottonseed oil had been mixed and packed with the article, thereby reducing and lowering its strength and injuriously affecting its quality, and had been substituted almost wholly for olive oil, which the said article purported to be.

Misbranding was alleged in substance for the reason that the design appearing on the said cans and the above-quoted statement appearing on the label in Italian, not sufficiently corrected by the statement in inconspicuous type, "Cotton Seed Salad Oil Slightly Flavored with Olive Oil," were false and misleading in that they conveyed the impression that the said article was an Italian olive oil, whereas, in truth and in fact, it was not an Italian olive oil, but was an oil consisting almost wholly of cottonseed oil. Misbranding was alleged for the further reason that the said statement borne on the labels, together with the statements "Net Contents- One Quart" and "Net Contents Full Half Gallon," respectively, deceived and misled the purchaser into the belief that the article was a product manufactured in Italy and that the containers had therein one full quart or one full half-gallon, as the case might be, of the said article, whereas, in truth and in fact, the article was a product of domestic manufacture, made in the United States, and the said containers did not hold one full quart and one full half-gallon, respectively. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure olive oil, and 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 January 19, 1922, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10193. Misbranding of oil. U. S. * * * v. 22 ½-Gallon Cans and 36 ¼-Gallon Cans of St. Bertolino Brand Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10463. I. S. No. 13591-r. S. No. E-1463.)

On May 31, 1919, the United States attorney for the District of New Jersey, 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 22 ½-gallon cans and 36 ¼-gallon cans of St. Bertolino Brand oil, at Newark, N. J., alleging that the article had been shipped by Ravazula Bros., New York, N. Y., on or about May 7, 1919, and transported from the State of New York into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled