

fraudulently represented it to be effective for gonorrhea, gonorrheal rheumatism, gleet and urethral diseases generally, whereas, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 29, 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.*

10745. Misbranding of grape jam. U. S. v. 11 Cases of Schühle's Grape Jam. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16187. I. S. No. 17016-t. S. No. E-3790.)

On March 2, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 11 cases of Schühle's grape jam, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by A. N. Chappell & Co., Birmingham, Ala., on or about November 28, 1921, and transported from the State of Alabama into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Schühle's Pronounced Sheeley's Grape Jam John Schühle Net Weight 1 Pound * * * Put up and guaranteed by Schühle's Pure Grape Juice Co. Inc., Highland, Ulster Co. N. Y. * * *."

Misbranding of the article was alleged in substance in the libel for the reason that the statement, to wit, "Net Weight 1 Pound," borne on the jars containing the article, was false and misleading in that the said statement represented that each of said jars contained 1 pound 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 each of said jars contained 1 pound net of the said article, whereas, in truth and in fact, each of said jars did not contain 1 pound net of the article but did contain a less amount. 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, since the stated quantity, to wit, "Net Weight 1 Pound," was incorrect and represented more than the actual contents of the package.

On April 27, 1922, the Schühle's Pure Grape Juice Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

10746. Misbranding of oil. U. S. v. 18 Cans of Oil. Decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 16194. I. S. No. 17022-t. S. No. E-3846.)

On April 12, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the said District, holding a district court, a libel for the seizure and condemnation of 18 cans, more or less, of oil, remaining unsold at Washington, D. C., alleging that the article had been shipped on or about February 9, 1922, by D. Lamp, New York, N. Y., and transported from the State of New York into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, in part: "Regina Brand Winterpressed Cottonseed Salad Oil Flavored with Pure Olive Oil. A Compound."

Misbranding of the article was alleged in the libel for the 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, since the stated quantity, to wit, "Net Contents, 1 Gallon," was incorrect and represented more than the actual contents of the package.

On May 21, 1922, the matter having come on for final disposition, 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.*

10747. Adulteration and misbranding of olive oil. U. S. v. 85 Cans of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16195. I. S. No. 17031-t. S. No. E-3850.)

On April 18, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme

Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 85 cans of olive oil, at Washington, D. C., alleging that the article had been shipped by D. Lamp, New York, N. Y., on or about March 17, 1922, and transported from the State of New York into the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that substances, to wit, oils other than olive oil, including approximately 50 per cent of 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 wholly or in part for pure olive oil, which the said article purported to be.

Misbranding was alleged in substance for the reason that the statements, to wit, "Prodotti Italiani Olio Di Oliva Pure Olive Oil Sopraffino Italia Brand Trade Mark Lucca Toscana Italia Net Contents 1 Gall.," together with the pictorial design of a crowned female figure holding a shield, borne on the cans containing the article, regarding the said article and the substances and ingredients and net contents contained therein, were false and misleading in that the said statements and design represented the article to be pure olive oil and to be a product made in Italy, and that each of said cans contained 1 gallon net of the said article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil made in a foreign country, to wit, Italy, and that each of said cans contained 1 gallon net of the said article, whereas, in truth and in fact, the said article was not pure olive oil made in Italy but was a product made in the United States of America, and was composed of oils other than olive oil, including approximately 50 per cent of cottonseed oil, and said cans did not each contain 1 gallon net of the said article but did contain less than 1 gallon net. Misbranding was alleged for the further reason that the article was a product composed practically wholly of an undeclared compound, consisting of cottonseed oil and of another oil other than olive oil, and prepared in imitation of another article, to wit, 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, since the stated quantity, to wit, "Net Contents 1 Gall.," was not correct and represented more than the contents of the said cans.

On July 31, 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.*

10748. Misbranding of olive oil. U. S. v. 21 Cans, more or less, of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16197. I. S. No. 17029-t. S. No. E-3856.)

On April 26, 1922, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 21 cans, more or less, of olive oil, remaining unsold at Washington, D. C., alleging that the article had been shipped by G. P. Papadopoulos, New York, N. Y., on or about March 2, 1922, and transported from the State of New York into the District of Columbia, and was being offered for sale and sold by the Washington Macaroni Co., of Washington, D. C., and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Olio D'Oliva Vergine GPP Trade Mark. G. P. Papadopoulos Net Contents Full Gallon * * *."

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "Net Contents Full Gallon," borne on the cans containing the said article regarding the quantity of the said article contained in each of said cans, was false and misleading, in that the said statement represented that each of said cans contained 1 full gallon 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 each of said cans contained 1 full gallon of the said article, whereas, in truth and in fact, each of said cans did not contain 1 full gallon of the article but did contain a less quantity. 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, since the stated quantity, to wit, "Net Contents Full Gallon," was incorrect and represented more than the actual contents of the package.

On July 31, 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.*