

Bridgeport, Conn., alleging that the article had been shipped by the Fazio Brokerage Co., New York, N. Y., in part on or about April 23, 1925, and in part on or about May 6, 1925, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "San Giuseppe Brand Salad Oil Vegetable Oil Slightly Flavored With Pure Olive Oil A Compound Net Contents One Gallon."

Misbranding of the article was alleged in the libel for the reason that the labels on the tins containing the said article, "Slightly Flavored With Pure Olive Oil Net Contents One Gallon," were false and misleading and deceived and misled the purchaser, 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 statement made was not correct.

On August 19, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13737. Misbranding of olive oil. U. S. v. 11 Gallons of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20085. I. S. No. 24525-v. S. No. E-5315.)**

On May 28, 1925, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 11 gallons of olive oil, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by Yohalem & Diamond, New York, N. Y., on or about February 6, 1925, and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Olio Puro D'Oлива White Star Brand Net Contents One Full Half Gallon."

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.

It was alleged in substance in the libel that the article was misbranded, in that the labels of the cans containing the said article bore certain statements, namely, "Net Contents One Full Half Gallon," which said statements were intended to induce the purchaser to believe that the cans contained one-half gallon of olive oil, when, in truth and in fact, they did not contain one-half gallon thereof.

On August 19, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13738. Adulteration of tomato ketchup. U. S. v. 35 Cases of Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20117. I. S. No. 24545-v. S. No. E-5329.)**

On June 13, 1925, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 35 cases of tomato ketchup, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by W. N. Clark Co., Rochester, N. Y., on or about August 6, 1924, and transported from the State of New York into the State of Connecticut, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "W. N. Clark Co. Tomato Ketchup. Contents 7 Lbs."

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

On August 19, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*