

about June 8, 1934, by the Arte Products, Inc., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "One Gallon [or "Half Gallon"] Olio Rima Brand."

The article was alleged to be misbranded in that the statements, "Olio Rima Brand" and "Olio Marca Rima", the designs of olive branches appearing on the labels, and the green color of the cans suggestive of olives, were misleading and tended to deceive and mislead the purchaser, since they created the impression that the product was imported olive oil; whereas it was essentially domestic cottonseed oil containing little or no olive oil, and this impression was not corrected by the subsidiary statements on the labels, (gallon size) "Olive Oil Fifteen Per Cent with Eighty-Five Per Cent of Other Vegetable Oils", and (half-gallon size) "Olive Oil Twenty Per Cent with Eighty Per Cent of Other Vegetable Oils", in view of the marked prominence given to the word "Olio" on the labels. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so.

On January 30, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

24262. Adulteration and misbranding of canned shrimp. U. S. v. 98 Cases of Canned Shrimp. Default decree of condemnation and destruction. (F. & D. no. 34192. Sample no. 25508-B.)

This case involved an interstate shipment of canned shrimp which was found to be in part decomposed. The article was not "superior quality" as stated on the label.

On October 26, 1934, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 98 cases of canned shrimp at Milwaukee, Wis., alleging that the article had been shipped in interstate commerce on or about September 26, 1934, by the Kuluz Bros. Packing Co., Inc., from Biloxi, Miss., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Fresh Gulf Brand Superior Quality Wet Pack Shrimp * * * Packed by Kuluz Bros. Packing Co., Inc. Biloxi, Miss."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

Misbranding was alleged for the reason that the statement on the label, "Superior Quality", was false and misleading and tended to deceive and mislead the purchaser.

On January 31, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

24263. Misbranding of salad oil. U. S. v. 33 Cans and 23 Cans of Salad Oil. Default decrees of condemnation and destruction. (F. & D. nos. 34216, 34217. Sample nos. 17612-B, 17613-B.)

These cases involved a product consisting essentially, if not entirely, of cottonseed oil which was artificially colored and flavored to simulate the color and flavor of olive oil, and which was labeled to convey the impression that it was imported olive oil.

On October 30, 1934, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 56 cans of salad oil at Newark, N. J., alleging that the article had been shipped in interstate commerce, in part on or about March 20, 1934, and in part on or about September 12, 1934, by the Korbros Oil Corporation, from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Paradise Brand Superior Quality Oil * * * Korbros Oil Corp. Brooklyn, N. Y."

The article was alleged to be misbranded in that the statement, "Paradiso Qualita Superiore Olio", together with the design of olive branches bearing leaves and flowers, and the design of the shield of Italy appearing on the label, were misleading and tended to deceive and mislead the purchaser, since they created the impression that the article was imported olive oil; whereas it was not. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so, and for the further reason that it was an imitation of another article and was not labeled with the word "Imitation."