

that the article had been shipped in interstate commerce on or about August 23, 1934, by the Excelsior Honey Co., from Brooklyn, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Hungarian Style Lekver Ingredients Fruit and Corn Syrup Manufactured by Excelsior Honey Co. Brooklyn, N. Y."

The article was alleged to be adulterated in that a substance containing dried prunes and apple chops had been substituted for a product made of fresh fruit. Adulteration was alleged for the further reason that the article contained an added poisonous and deleterious ingredient, lead, which might have rendered it injurious to health.

Misbranding was alleged for the reason that the statements on the label, "Hungarian Style Lekver * * * Fruit and Corn Syrup", were false and misleading and tended to deceive and mislead the purchaser, since this designation is not applicable to an article made from dried prunes, corn sirup, and apple chops. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On January 28, 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.*

24282. Adulteration of butter. U. S. v. 21 Cases of Butter. Default decree of condemnation and forfeiture. (F. & D. no. 34440. Sample no. 4965-B.)

This case involved a shipment of butter, samples of which were found to contain human hair, flies, and other insects, mold, a worm, and other filth.

On November 23, 1934, 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 of Columbia, holding a district court, a libel praying seizure and condemnation of 21 cases of butter at Washington, D. C., alleging that the article had been shipped by the Southern Maryland Creamery, from Waldorf, Md., on or about November 16, 1934, and had been transported from the State of Maryland into the District of Columbia, and charging adulteration in violation of the Food and Drug Act. The article was labeled in part: "Blue Ridge Brand Creamery Butter * * * Joseph Atkin Distributor Washington, D. C."

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

On December 17, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be disposed of by the marshal in such manner as would not violate the provisions of the Federal Food and Drugs Act.

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

24283. Misbranding of salad oil. U. S. v. 25 Cans of Salad Oil. Default decree of condemnation. Product delivered to charitable institutions. (F. & D. no. 34453. Sample no. 21206-B.)

This case involved a product consisting of domestic cottonseed oil containing little or no olive oil, which was labeled to convey the impression that it was Italian olive oil.

On or about December 3, 1934, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of twenty-five 1-gallon cans of salad oil at Meriden, Conn., alleging that the article had been shipped in interstate commerce on or about October 29, 1934, by the Goodman Products Corporation, from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Extra Fine Oil Stella-Alpino Brand * * * Goodman Products Corp. N. Y. City."

The article was alleged to be misbranded in that the following statements and design appearing on the label, "Olio Stella Alpino e il migliore e piu gustoso ed e garantito a qualsiasi analisi chimica", "Composto del ottacinque per cento di olio vegetale e quindici per cento di olio d'oliva Italiano importato", "This oil is specially prepared for the Italian trade", and "Quest' olio e preparato specialmente per la clientela Italiana", and design of a hunter in foreign costume, were misleading and tended to deceive and mislead the purchaser, since they created the impression that the product was Italian olive oil; whereas it was not, and this impression was not corrected by the relatively inconspicuous statement on the label, "Composed eighty five percent vegetable oil fifteen [sic] percent imported Italian olive oil." Misbranding was alleged for the further reason that the article purported to be a foreign product when not so.

On January 28, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to charitable institutions.

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

24284. Misbranding of salad oil. U. S. v. 15 Cartons and 18 Cartons of Salad Oil. Consent decrees of condemnation. Product delivered to charitable institutions. (F. & D. nos. 34457, 34465. Sample nos. 21211-B, 21238-B.)

These cases involved a product consisting of domestic cottonseed oil which was labeled to convey the impression that it was imported olive oil.

On or about December 3, 1934, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 33 cartons of salad oil at Hartford, Conn., alleging that the article had been shipped in interstate commerce in various lots on or about July 5 and July 25, and August 14, 1934, by Samuel A. Stone, in part from Brooklyn, N. Y., and in part from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act. A portion of the article was labeled: "Olio La Sorella." The remainder was labeled: "Adamo Brand Prime Quality Vegetable Oil * * * Adamo Canning Co. New York." The libel further alleged that the product labeled "Olio La Sorella" had been manufactured by the Venice Importing Co.

The article was alleged to be misbranded in that the following statements appearing in the labeling, namely, "Marca Olio La Sorella", "La Sorella e un olio puro per insalata eccellente per ogni uso di cucina e di tavola", with respect to a portion of the product, and the statements, "Adamo * * * Prima Qualita' Olio Vegetale Puro il migliore per tavola e cucina", "Marca Adamo Olio per salse frittura insalata e qualsiasi uso da tavola e cucina", with respect to the remainder, were misleading and tended to deceive and mislead the purchaser, since they created the impression that the product was Italian 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. Misbranding of the Adamo brand oil was alleged for the further reason that the statement on the can label, "Prime Quality Vegetable Oil", was misleading and tended to mislead the purchaser, since the term is also applicable to olive oil.

On January 28, 1935, no claim for the product having been entered, and Samuel A. Stone, having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be delivered to charitable institutions.

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

24285. Adulteration of canned shrimp. U. S. v. 4 Cases of Canned Shrimp. Default decree of destruction. (F. & D. no. 34461. Sample no. 22242-B.)

This case involved an interstate shipment of canned shrimp which was found to be in part decomposed.

On December 11, 1934, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four cases of canned shrimp at Dublin, Ga., alleging that the article had been shipped in interstate commerce on or about July 30 and August 6, 1934, by the Cochran Bros. Co., of Dublin, Ga., from Jacksonville, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Florida Chief Brand Nassau Shrimp * * * Packed by The Nassau Packing Co., S. S. Goffin, Jacksonville, Fla."

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

On January 8, 1935, no claimant having appeared, judgment was entered ordering that the product be destroyed.

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

24286. Misbranding of salad oil. U. S. v. 50 Cases, et al., of Salad Oil. Decrees of condemnation. Portions of product released under bond to be repacked. Remainder delivered to charitable organizations. (F. & D. nos. 34466, 34475 to 24478, incl., 34575, 34576, 34577. Sample nos. 17148-B, 21202-B, 21203-B, 21210-B, 21226-B, 21239-B, 21258-B, 21259-B.)

These cases involved a product which was labeled to convey the impression that it was Italian olive oil, but which consisted essentially of cottonseed oil, or