

Puro olio d'Oliva Sopraffino Prodotto Importato [design of olive branches and picture of a dish of green olives]", "Imported Product", "Prodotto Importato [design of Italian coat of arms and design of Italian flag]", "Imported Olive Oil"; (portion of La Rosa brand) "Superfine Quality \* \* \* Pure Olive Oil Imported \* \* \* Qualita Sopraffino \* \* \* Puro Olio d'Oliva Importato This Olive Oil is guaranteed to be absolutely pure and is highly recommended for table and medicinal purposes \* \* \* Questo Olio d'Oliva e garantito assolutamente puro ed e raccomandato per uso tavola e medicinale", "Imported Olive Oil [designs of olive branches and olives]", (portions of La Rosa brand, gallon and quart sizes) "Superfine Quality \* \* \* Pure Olive Oil Imported from Italy; Qualita Sopraffino \* \* \* Puro Olio d'Oliva Importato Dall'Italia, [design of olive branch]"; (half-gallon size) "Superfine Quality \* \* \* Pure Olive Oil Imported", "Qualita Sopraffino \* \* \* Puro Olio d'Oliva Importato [design of olive branch]"; (all sizes) "This olive oil is guaranteed to be absolutely pure and is highly recommended \* \* \* Questo Olio d'oliva e garantito assolutamente puro ed e raccomandato per uso tavola e medicinale [design of olive branch]", (gallon size) "Packed Exclusively for Triestino Importing Co.", "Impaccato esclusivamente per Triestino Importing Co.", (half-gallon and quart sizes) "Imported Exclusively for Triestino Importing Co.", (top of cans) "Imported Olive Oil." Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On November 27, 1936, the Arte Products, Inc., having appeared as claimant and having consented to the entry of a decree, and the cases having been consolidated, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it be transferred to drums and labeled "Tea Seed Oil flavored with Olive Oil."

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

**26841. Adulteration and misbranding of olive oil. U. S. v. 52 Cans of Olive Oil. Default decree of condemnation and destruction. (F. & D. no. 37595. Sample no. 68825-B.)**

This case involved olive oil which was adulterated with tea-seed oil.

On April 15, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 52 gallon cans of olive oil at New Orleans, La., alleging that it had been shipped in interstate commerce on or about March 4, 1936, by the Italian Importing Corporation, New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "L'Italia Redenta Brand Pure Olive Oil."

The article was alleged to be adulterated in that tea-seed oil had been mixed and packed therewith so as to reduce or lower its quality or strength and had been substituted in whole or in part for olive oil, which the article purported to be.

The article was alleged to be misbranded in that the following statements and designs borne on the label were false and misleading and tended to deceive and mislead the purchaser when applied to a product containing tea-seed oil: "L'Italia \* \* \* Pure Olive Oil", designs of olive leaves and olives, and of the map of Italy "Our olive oil is guaranteed by us to be absolutely pure under any chemical analysis", "Il nostro olio di ulivo é da noi garentito sotto qualsiasi analisi chimica assolutamente puro"; and design of Italian coat of arms and the use of Italian national colors, red, white, and green. The article was alleged to be misbranded further in that it was offered for sale under the distinctive name of another article, namely, olive oil.

On January 6, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**26842. Adulteration of cream. U. S. v. Two 10-Gallon Cans of Cream. Consent decree of condemnation and destruction. (F. & D. no. 37848. Sample no. 36221-B.)**

This case involved cream that was putrid, maggoty, and moldy.

On or about June 21, 1936, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture,

ture, filed in the district court a libel praying seizure and condemnation of two 10-gallon cans of cream at Parkersburg, W. Va., alleging that on or about June 20, 1936, the article had been delivered for shipment in interstate commerce at Harrisville, W. Va., by the K. & T. Stores, Inc., a substation for the Sumner Co. cream station, of Parkersburg, W. Va., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: (Tag) "To The Sumner Co., Akron, Ohio."

The article was alleged to be adulterated in that it consisted in whole or in part of a putrid, maggoty, and moldy animal substance.

On June 22, 1936, the K. & T. Stores, Inc., having consented to the entry of a decree, judgment was entered ordering that the product be destroyed.

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

**26843. Adulteration of frozen raspberries. U. S. v. R. D. Bodle Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 37936. Sample nos. 43122-B, 55606-B.)**

This case involved frozen raspberries samples of which were found to contain worms and insects.

On February 2, 1937, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the R. D. Bodle Co., a corporation of Seattle, Wash., alleging shipment by said company on or about August 8, 1935, from the State of Washington into the State of Illinois of a quantity of frozen raspberries that were adulterated. The information further alleged that the defendant company had sold and delivered the article on or about August 15, 1935, to the Nakat Packing Corporation of Seattle, Wash., under a guaranty that it complied with the Federal Food and Drugs Act; that the article had been shipped in interstate commerce on or about December 13, 1935, from the State of Washington into the State of New York by the Nakat Packing Corporation; that it was adulterated in violation of said act and that by reason of the guaranty the defendant company was amenable for prosecution for said shipment. The article was labeled in part: "R. D. Bodle Co. \* \* \* Cuthbert Raspberries \* \* \* Seattle, Wn."

It was alleged to be adulterated in that it consisted in part of a filthy vegetable substance.

On February 18, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

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

**26844. Adulteration and misbranding of butter. U. S. v. Rowan Creamery, Inc. Plea of guilty. Fine, \$50. (F. & D. no. 37950. Sample no. 48868-B.)**

This product was deficient in milk fat and the label failed to bear a correct statement of the quantity of the contents.

On September 14, 1936, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Rowan Creamery, Inc., Salisbury, N. C., alleging that on or about February 22, 1936, said defendant had shipped from the State of North Carolina into the State of South Carolina a quantity of butter that was adulterated and misbranded in violation of the Food and Drugs Act as amended. The article was labeled in part: "Guernsey Gold Creamery Butter One Pound Net When Packed Rowan Creamery, Inc., Salisbury, N. C."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

It was alleged to be misbranded in 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 October 19, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

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

**26845. Adulteration of olive oil. U. S. v. International Importing Co., Inc. Plea of guilty. Fine, \$100 and costs. (F. & D. no. 37962. Sample no. 65752-B.)**

This product was adulterated with tea-seed oil.