

been substituted in whole or in part for olive oil, which it purported to be, and in that it had been mixed in a manner whereby inferiority was concealed.

It was alleged to be misbranded in that the following statements were false and misleading and deceived and misled the purchaser when applied to an article containing sesame oil with little or no olive oil: (Italia brand) "Superfine Olive Oil Imported Italia \* \* \* [design of olive branches and olives, design of Italian flag] Lucca Italia Premiato in Tutte le Esposizioni Europee \* \* \* First Pressing Cream Olive Oil Recommended highly for table and medicinal use, Imported from Italy"; (Pulcella brand) "Guaranteed Pure Olive Oil Extra Fine Imported Lucca Italy [designs of olive branches and olives] \* \* \* Garantito Puro Olio d'Olive Extra Fino Importato Lucca Italia Prodotti Italiani We guarantee our olive oil to be absolutely pure under any chemical analysis—insuperable for table use and excellent for medicinal purposes—Garantiamo il nostro olio estratto da olive scelte assolutamente puro sotto qualsiasi analisi chimica insuperabile come olio da tavola ed eccellente per uso medicinale \* \* \* Imported from Italy"; (Lucca brand) "Italian Product Virgin Olive Oil Imported Superfine \* \* \* Lucca [designs of olive branches and olives] Prodotto Italiano Vergine Olio d'Olive Importato \* \* \* Sopraffino Lucca Garanzia della qualita Questo olio d'Olive importato è garantito assolutamente puro sotto analisi chimica. This imported olive oil is guaranteed to be absolutely pure under chemical analysis. Finest Quality Imported From Italy." Misbranding was alleged for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article, olive oil.

On June 24, 1937, no claimant having appeared, judgment was entered ordering that the product be distributed to charitable institutions, after the labels had been removed or the containers had been destroyed.

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

**27618. Adulteration of raisins. U. S. v. 25 Boxes of Raisins. Default decree of condemnation and destruction. (F. & D. No. 39371. Sample Nos. 32749-C, 32760-C.)**

This product was contaminated with hydrocyanic acid and also was wormy.

On April 13, 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 a libel praying seizure and condemnation of 25 boxes of raisins at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 27, 1936, by Rosenberg Bros. & Co. from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Pennant Brand \* \* \* Clusters Packed by California Packing Corporation."

It was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, hydrocyanic acid, which might have rendered it injurious to health; and in that it consisted wholly or in part of a filthy vegetable substance.

On September 13, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**27619. Adulteration of canned cherries. U. S. v. 74 Cases of Cherries. Default decree of condemnation and destruction. (F. & D. No. 39375. Sample No. 32844-C.)**

Samples of this product were found to contain maggots.

On April 13, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 74 cases of cherries at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about March 31, 1937, by Western Oregon Packing Corporation from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Everfresh Packed in Water Red Sour Pitted Cherries \* \* \* Packed For James Fenwick Co. Portland, Ore."

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

On August 30, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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