

analysis—insuperable for table use and excellent for medicinal purposes [similar statements in Italian]. The article was alleged to be misbranded further in that it was an imitation of another food and its label failed to bear in type of uniform size and prominence the word “imitation” and immediately thereafter the name of the food imitated; in that it was in package form and failed to bear the name and place of business of the manufacturer, packer, or distributor; and in that it contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On June 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2287. Adulteration and misbranding of olive oil. U. S. v. 2 Cases of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 4727. Sample No. 55638-E.)**

This product was represented to be pure olive oil but contained approximately 20 percent of cottonseed oil.

On or about May 13, 1941, the United States attorney for the District of Oregon filed a libel against 2 cases of olive oil at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about April 13, 1941, by Matteucci & Vannucci Co., Inc., from San Francisco, Calif.; and charging that it was adulterated and misbranded. It was labeled in part: “Pisa Brand Imported Pure Olive Oil.”

The article was alleged to be adulterated in that a substance, cottonseed oil, had been substituted in part therefor.

It was alleged to be misbranded (1) in that the statements “Pisa \* \* \* Imported Pure Olive Oil” and “Pisa Brand Olive Oil is a pure oil pressed from Selected Olives” were false and misleading as applied to an article which contained 20 percent of domestic cottonseed oil; (2) in that it was offered for sale under the name of another food, namely, olive oil; (3) in that it was a food consisting of a mixture of olive oil and cottonseed oil, and its label did not bear the common or usual name of said food; and (4) in that its label did not bear the common or usual name of each ingredient.

On June 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2288. Adulteration and misbranding of olive oil. U. S. v. 289 Cases of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 3964. Sample Nos. 36283-E to 36287-E, incl.)**

This product was represented to be pure olive oil but was found to consist of artificially flavored and colored cottonseed oil or some oil other than olive oil.

On March 12, 1941, the United States attorney for the District of Massachusetts filed a libel against 289 cases of olive oil at Springfield, Mass., alleging that the article had been shipped in interstate commerce on or about January 6 and 17, 1941, by the Standard Pickle Co. from New Britain, Conn.; and charging that it was adulterated and misbranded. It was labeled in part: “Pure Olive Oil Sweet Life,” or “Nessco Brand Pure Olive Oil.”

The article was alleged to be adulterated (1) in that artificially flavored and colored cottonseed oil or (37 cases) oil other than olive oil had been substituted wholly or in part for pure olive oil, which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and artificial color; and (3) in that artificial flavor and artificial color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded (1) in that the statement “Pure Olive Oil” was false and misleading; (2) in that it was an imitation of another food and the label failed to bear, in type of uniform size and prominence, the word “imitation” and, immediately thereafter, the name of the food imitated; (3) in that it was offered for sale under the name of another food; and (4) in that it contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On May 12, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2289. Adulteration and misbranding of vegetable oil. U. S. v. 43 Bottles and 13 Jugs of Oil. Default decree of condemnation and destruction. (F. D. C. No. 3965. Sample Nos. 46195-E, 46196-E.)**

This product was an artificially flavored and artificially colored mixture of cottonseed oil and an oil similar to corn oil and contained little or no olive oil.

On March 12, 1941, the United States attorney for the District of New Jersey filed a libel against 43 bottles and 13 jugs of vegetable oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about November 20 and December 2, 1940, and January 14, 1941, by Saporito Pure Oil Co. from Brooklyn, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: (Bottles) "Saporito Brand Sublime Fine Oil"; (jugs) "Saporito Brand Superfine Oil"; and (both) "Choice Corn and Imported Olive Oil."

The article was alleged to be adulterated (1) in that an artificially flavored and artificially colored mixture of cottonseed oil and an oil similar to corn oil, containing little or no olive oil, had been substituted wholly or in part for "Choice Corn and Imported Olive Oil," which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and color; (3) in that artificial flavor and color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was; and (4) in that it contained a coal-tar color other than one from a batch that had been certified in accordance with regulations as provided by law.

The article was alleged to be misbranded (1) in that the statement "Choice Corn and Imported Olive Oil" was false and misleading as applied to such a product; (2) in that it was an imitation of another food, olive oil, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter the name of the food imitated; and (3) in that it contained artificial flavoring and did not bear labeling stating that fact.

On June 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### CANDY

**2290. Adulteration of candy. U. S. v. Albert Boggiano (Independent Candy Co.).**  
**Plea of guilty. Fine, \$100.** (F. D. C. No. 2982. Sample Nos. 39437-E to 39441-E, incl., 39449-E to 39451-E, incl.)

Samples of this product were found to contain rodent hairs and excreta, insects, insect fragments, and larvae.

On May 13, 1941, the United States attorney for the Western District of Tennessee filed an information against Albert Boggiano, trading as Independent Candy Co., Memphis, Tenn., alleging shipment within the period from on or about September 4 to on or about October 12, 1940, from the State of Tennessee into the State of Arkansas of quantities of candy that was adulterated. The article was labeled in part variously: "Big Jim Candy Bar," "Big Sticks Assorted," "Big Joe Peppermint Stick," "Big Joe Peanut Butter Stick," and "Cocoanut Squares."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On June 28, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$100.

**2291. Adulteration of candy. U. S. v. 35 Boxes of Candy. Default decree of condemnation and destruction.** (F. D. C. No. 5008. Sample No. 40829-E.)

This product contained rodent hairs.

On June 28, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 35 boxes of candy at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about May 23, 1941, by Close & Co. from Chicago, Ill.; and charging that it was adulterated. It was labeled in part: (Boxes) "United All American Pop."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2292. Adulteration of candy. U. S. v. 54 Boxes and 27 Boxes of Candy. Default decrees of condemnation and destruction.** (F. D. C. Nos. 4840, 5152. Sample Nos. 42440-E, 51344-E.)

Examination showed this product to contain rodent excreta and rodent hairs.

On May 28 and July 16, 1941, the United States attorneys for the District of Maine and the Western District of Pennsylvania filed libels against 54