

recommended for medicinal purpose and Table Use [similar statements in Italian] * * * Olive Oil," borne on the cans, were false and misleading as applied to an article that consisted essentially of artificially flavored and artificially colored peanut oil, containing little, if any, olive oil; (2) in that it was offered for sale under the name of another food; (3) 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; and (4) in that it contained artificial flavoring and artificial coloring and failed to bear labeling stating that fact.

On April 17, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3402. Adulteration and misbranding of vegetable oil. U. S. v. 82 Cans of Vegetable Oil. Default decree of condemnation and forfeiture. Product ordered distributed to charitable institutions. (F. D. C. No. 7018. Sample No. 84324-E.)

This product, which was represented to be composed of cottonseed and corn oil and olive oil, was found to consist essentially of artificially flavored and artificially colored corn oil, containing little, if any, olive oil and no cottonseed oil.

On March 12, 1942, the United States attorney for the District of New Jersey filed a libel against 82 cans of vegetable oil at Elizabeth, N. J., alleging that the article had been shipped in interstate commerce on or about December 4 and 31, 1941, by Pietro Esposito from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "La Vergine Brand Prodotto Garantito Composed of Cottonseed & Corn Oil Pure Imported Olive Oil Distributed by A. Campo * * * Elizabeth, N. J."

The article was alleged to be adulterated (1) in that artificially flavored and artificially colored corn oil, containing little, if any, olive oil, and no cottonseed oil, had been substituted wholly or in part for "Cottonseed & Corn Oil Pure Imported Olive Oil," which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and 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 design of an olive tree and the statement "Composed of Cottonseed & Corn Oil Pure Imported Olive Oil" were false and misleading as applied to artificially flavored and artificially colored corn oil, containing little, if any, olive oil, and no cottonseed oil; (2) in that it was an imitation of another product, 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; (3) in that the label contained representations in a foreign language, Italian, and the information required by the act to appear on the label did not appear thereon in the foreign language; and (4) in that it contained artificial flavoring and artificial coloring but did not bear labeling stating that fact.

On April 29, 1942, no claimant having appeared, judgment of condemnation and forfeiture was entered and the product was ordered distributed to charitable institutions.

SACCHARINE PRODUCTS

CANDY

3403. Adulteration of candy. U. S. v. Lew Klamkin (Belmont Candy Co.). Plea of guilty. Fine, \$400. (F. D. C. No. 5515. Sample Nos. 34783-E, 34785-E, 34788-E, 34789-E, 46319-E.)

This product was found to contain miscellaneous filth, including insect fragments and rodent hairs.

On February 17, 1942, the United States attorney for the Eastern District of New York filed an information against Lew Klamkin, trading as Belmont Candy Co. at Brooklyn, N. Y., alleging shipment in interstate commerce on or about January 11 and 29, 1941, from the State of New York into the State of New Jersey of a quantity of candy which was 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. It was labeled in part: "Chocolate Covered Filled with Cherries," "Milk Chocolate Maple Milky Squares," "Belmont's Coconut Mountains," or "Belmont's Brazil Nuts."

On April 2, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400.