

false and misleading as applied to an oil to which had been added artificial color and artificial flavor.

Misbranding (both brands), Section 403 (c), the product was artificially colored and artificially flavored in imitation of 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, olive oil.

DISPOSITION: September 22, 1944. Pleas of guilty having been entered, each defendant was fined \$25.

7180. Adulteration and misbranding of olive oil. U. S. v. 80 Cartons of Olive Oil. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 13910. Sample No. 79111-F.)

LIBEL FILED: On or about October 17, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 14, 1944, by Frank Scappatura, from Oakland, Calif.

PRODUCT: 80 cartons, each containing 1 5-gallon can, of olive oil at Chicago, Ill.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), an oil other than olive oil had been substituted in whole or in part for olive oil.

Misbranding, Section 403 (a), the label statement "Olive Oil" was false and misleading as applied to an article consisting essentially of an oil other than olive oil.

DISPOSITION: November 15, 1944. V. Formusa Co., Chicago, Ill., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

7181. Adulteration and misbranding of peanut oil. U. S. v. 31 Cases of Peanut Oil (and 1 other seizure action against peanut oil). Decrees of condemnation. Portion ordered released under bond to be relabeled; remainder ordered destroyed. (F. D. C. Nos. 11606, 13017. Sample Nos. 60408-F, 71933-F, 71934-F.)

LIBELS FILED: January 10 and August 9, 1944, Northern District of California and Western District of Washington.

ALLEGED SHIPMENT: On or about November 8 and 11, 1943, by Agash Refining Corporation, from Brooklyn, N. Y.

PRODUCT: 31 cases, each containing 24 1-pint bottles, of peanut oil at San Francisco, Calif., and 302 cases, each containing 24 pint bottles, and 155 cases, each containing 12 quart bottles, of peanut oil, at Seattle, Wash.

LABEL, IN PART: (Bottles) "Royal Cook Brand * * * Peanut Oil."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), a mixture of peanut and cottonseed oils had been substituted in whole or in part for peanut oil, which the article purported to be.

Misbranding, Section 403 (a), the statement "Peanut Oil" was false and misleading as applied to the article; Section 403 (b), the product was offered for sale under the name of another food; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: May 20 and October 14, 1944. The Agash Refining Corporation and Italian Cook Oil Corporation, its successor, claimant for the Seattle lot, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration. No claimant having appeared for the San Francisco lot, judgment of condemnation was entered and the product was ordered destroyed. Destruction was effected by delivering the article to a local charitable institution.

SPICES, FLAVORS, AND SEASONING MATERIALS

7182. Adulteration and misbranding of ground cinnamon. U. S. v. 34 Cartons of Cinnamon. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 12687. Sample No. 80035-F.)

LIBEL FILED: June 14, 1944, Eastern District of Missouri. Amended libel filed July 8, 1944.

ALLEGED SHIPMENT: On or about April 12, 1944, by LaSalle Mfg. Co., from Chicago, Ill.