

6294. Misbranding of macaroni. U. S. * * * v. A. F. Ghiglione & Sons, a corporation. Plea of guilty. Fine, \$100. (F. & D. No. 7567. I. S. No. 20904-1.)

On September 23, 1918, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. F. Ghiglione & Sons, a corporation, Seattle, Wash., alleging the shipment by said company, in violation of the Food and Drugs Act, on or about March 21, 1916, from the State of Washington into the State of Oregon, of a quantity of an article labeled in part, "Gragnano Macaroni Brand Italian Macaroni," which was misbranded.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Gragnano Macaroni Brand Italian Macaroni Manufacturers, Qualita Insuperabile. Prepared for exportation," regarding the article, with a certain pictorial design representing an Italian scene, and the general style of the package were false and misleading in that they indicated that the article was a foreign product, to wit, a macaroni produced in the Kingdom of Italy; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, a macaroni produced in the kingdom of Italy, when, in truth and in fact, it was not a foreign product, to wit, a macaroni produced in the kingdom of Italy, but was a domestic product, to wit, a macaroni produced in the United States of America; and for the further reason that the label and pictorial design, together with the general style of the package, purported the article to be a foreign product, to wit, a macaroni produced in the kingdom of Italy, whereas, in truth and in fact, it was not a foreign product, to wit, a macaroni produced in the kingdom of Italy, but was a domestic product, to wit, a macaroni produced in the United States of America.

On November 25, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

CLARENCE OUSLEY, *Acting Secretary of Agriculture*.