

from the State of California into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a decomposed, filthy, and putrid vegetable substance.

On May 5, 1919, Antonio Morici, Chicago, Ill., claimant, having admitted the material allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be separated under the supervision of a representative of this department, and that such portion known in the trade as "swells," and "springers," and such portion as was found in rusty cans, and such cans as were found punctured to allow the escape of gas and resealed, should be destroyed by the United States marshal, and that the remaining portion should be released to said claimant.

J. R. RIGGS, Acting Secretary of Agriculture.

6790. Adulteration and misbranding of olive oil. U. S. * * * v. 24 Gallons of Olive Oil (so called). Default decree of condemnation, forfeiture, and sale or destruction. (F. & D. No. 9264. I. S. No. 13708-r. S. No. E-1089.)

On August 16, 1918, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 gallons of olive oil, so called, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about June 22, 1918, by Lyriotakis Bros., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Qualita Superiore Olio Tripolitania Puro."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for the product purporting to be olive oil.

Misbranding of the article was alleged in substance for the reason that the statements borne on the labels of the cans were false and misleading, that is to say said labels bore certain designs and statements intended to be of such a character as to induce the purchaser to believe that the product was Italian olive oil, when, in truth and in fact, it was not; and for the further reason that it purported to be of foreign origin, when, in truth and fact, it was of domestic origin; and for the further reason that the label on the cans bore the words, "One Gallon Net," whereas there was a shortage in each purported gallon.

On September 13, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, or destroyed if he was unable to effect a speedy sale of the same.

J. R. RIGGS, Acting Secretary of Agriculture.