

6815. Adulteration and misbranding of olive oil. U. S. * * * v. 16 Cases * * * of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9287. I. S. No. 11351-r. S. No. C-968.)

On September 4, 1918, the United States attorney for the Northern District of Ohio, 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 16 cases, each containing 40 quarter-gallon cans of olive oil, at East Liverpool, Ohio, alleging that the article had been shipped on or about July 16, 1918, by M. Campolieti, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Olive Oil, Extra Pure * * * Tipo Termini Imerese Italy * * * $\frac{1}{4}$ Gallon Net."

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 part for the article, thereby lowering its quality, strength, and value.

Misbranding of the article was alleged for the reason that the statement, to wit, "Olive Oil," was false and misleading, and deceived and misled the purchaser in that it indicated that the cans contained olive oil, when, in truth and in fact, cottonseed oil had been substituted in part for the article; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil; and for the further reason that the article, labeled as aforesaid, purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture, packed in the United States. Misbranding of the article was alleged for the further reason that the labels indicated that each can contained $\frac{1}{4}$ gallon net, when, in truth and in fact, there was a shortage from the declared contents of 16 per cent in each can; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On October 5, 1918, J. De Rose, East Liverpool, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6816. Adulteration and misbranding of olive oil compounded with cottonseed oil. U. S. * * * v. 540 Gallons of Alleged Olive Oil Compounded with Cottonseed Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9288. I. S. No. 13721-r. S. No. E-1104.)

On September 5, 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 540 gallons of alleged olive oil compounded with cottonseed oil, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about June 12, July 12, and July 25, 1918, by Angiolillo Bros., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and