

it was a product of domestic manufacture, packed in the United States; and for the further reason that it was an imitation of, and offered for sale under the distinctive name of, another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that the labels bore the words, to wit, "Full Gallon," whereas there was a shortage in each purported full gallon; 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 December 5, 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 at private sale by the United States marshal.

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

6866. Adulteration and misbranding of olive oil. U. S. * * * v. 24 Gallons of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9217. I. S. No. 13707-r. S. No. E-1084.)

On August 6, 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, remaining unsold in the original unbroken packages at South Norwalk, Conn., alleging that the article had been shipped, on or about February 14, 1918, by Emilio & Campolieti, 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.

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

Misbranding of the article was alleged for the reason that the label bore the words, to wit, "Finest Quality Olive Oil Extra Pure Termini Imerese Sicilia-Italia," which statements and words were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not; and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture, packed in the United States; 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 labels bore the words, " $\frac{1}{2}$ Gallon," and " $\frac{1}{4}$ Gallon," respectively, whereas there was a shortage in each purported one-half gallon can, and one-fourth gallon can. Misbranding of the article was alleged 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 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 at private sale.

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