

**6867. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 24 Cases of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No 9219. I. S No. 7507-r. S. No. C-948 )**

On August 8, 1918, the United States attorney for the Northern District of Illinois, 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 cases, each containing 2 five-gallon cans of olive oil, at Chicago, Ill., alleging that the article had been shipped on April 18, 1918, by Matranga Bros., Los Angeles, Cal., and transported from the State of California into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Old Mission California Olive Oil."

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, 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 statement borne on the label of the can, to wit, "Olive Oil," was false and misleading in that it purported to set forth that the article consisted of olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted of olive oil, whereas, in truth and in fact, it contained cottonseed oil.

On April 26, 1919, Antonio Morici Co., a corporation, Chicago, Ill., having 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 relabeled under the supervision of a representative of this department as cottonseed oil slightly flavored with olive oil.

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

**6868. Adulteration and misbranding of Red Bird Chocolate Liquor. U. S. \* \* \* v. 16 Cases \* \* \* of Red Bird Chocolate Liquor. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9222. I. S. No. 6582-p. S. No. E-1085.)**

On August 9, 1918, the United States attorney for the Southern District of New York, 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 100 pounds of Red Bird Chocolate Liquor, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about March 2, 1918, by the Massachusetts Chocolate Co., Boston, Mass., and transported from the State of Massachusetts into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that cocoa shells had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality, and had been substituted in part for Red Bird Chocolate Liquor, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of another article, and that the statement, "Red Bird Liquor Choc.," was false and misleading, and deceived and misled the purchaser.