

to be olive oil, consigned on or about July 13, 1918, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by N. S. Monahos, New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel of information for the reason that it consisted wholly or in part of cottonseed oil which had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding of the article was alleged for the reason that the packages and labels thereof bore a certain statement, design, and device which was false and misleading, to wit, the words "Olio Olivola," together with designs of a woman's head with wreath of fruited olive twigs and representations of olive sprays, prominently displayed thereon, and, in an inconspicuous manner, the words "Winterpressed Cottonseed Salad Oil," all of which would lead a purchaser to believe that said food was olive oil, whereas, in truth and in fact, it was not olive oil. Misbranding of the article was further alleged for the 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 January 10, 1919, no claimant having appeared for the property, and only thirty-five half-gallon cans of said product having been found and seized by the marshal, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the packages should be properly branded, denoting that the contents consisted almost wholly of cottonseed oil instead of olive oil, and should be sold at public auction by the United States marshal.

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

6887. Adulteration of salmon. U. S. * * * v. 375 Cases and 48 Cans of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9381. I. S. No. 5981-r. S. No. C-984.)

On October 7, 1918, the United States attorney for the Southern District of Mississippi, 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 375 cases and 48 cans of salmon, remaining unsold in the original unbroken packages at Laurel, Miss., alleging that the article had been shipped on or about April 4, 1918, by Everding & Farrell, Portland, Ore., and transported from the State of Oregon into the State of Mississippi, and charging adulteration in violation of the Food and Drugs Act.

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

On April 12, 1919, 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 destroyed by the United States marshal.

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

6888. Adulteration of tomato sauce. U. S. * * * v. 150 Cases of Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9384. I. S. No. 13704-r. S. No. E-1134.)

On October 10, 1918, the United States attorney for the Eastern 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 150 cases of tomato sauce, remaining unsold in the

original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped on or about June 18, 1918, by the Thomas Roberts Co., Windy Hill, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Packed by the Windy Hill Packing Company Easton, Md. Pure Tomato Sauce."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On November 21, 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 destroyed by the United States marshal.

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

6889. Adulteration and misbranding of olive oil. U. S. * * * v. 19 Cases, More or Less, Containing Cans of Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9385. I. S. No. 12353-r. S. No. C-988.)

On October 10, 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 19 cases, more or less, containing cans of oil, at Cleveland, O., alleging that the article had been shipped on or about June 10, 1918, by N. S. Monahos, 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. The article was labeled in part, "Olio Olivola" and "Winter-pressed cottonseed salad oil flavored slightly with pure olive oil, a compound."

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 almost entirely for olive oil, which the article purported to be, thereby lowering its quality, strength, and value.

Misbranding of the article was alleged in that said labeling and design, not corrected by above-quoted words in less prominent type, were false and misleading and deceived and misled the purchaser, in that such statement and design indicated that said cans contained olive oil, when, in truth and in fact, cottonseed oil had been substituted almost entirely for olive oil. Misbranding of the article was further alleged in substance for the 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.

On November 4, 1918, Higgins, Babcock, Hurd Co., Cleveland, O., 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 released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

6890. Adulteration and misbranding of feed. U. S. * * * v. Marsh Commission Co. (Marco Mills). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8397. I. S. Nos. 12059-m, 12068-m, 12069-m.)

On April 19, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against