

State of New York into the State of Florida, of a quantity of an article, labeled in part "Olio Puro D'Oliva," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be strongly positive and the net volume of the cans to be 0.95 gallon.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements "Olio Puro D'Oliva, Lucca Tipo Italy, Olio Puro D'Oliva Garantito Produzione Propria, Net Contents Full Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the statements borne on the cans purported that the article was a foreign product, when not so. 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.

On July 30, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

E. D. BALL,

Acting Secretary of Agriculture.

7129. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$25. (F. & D. No. 9751. I. S. No. 18428-r.)

On April 29, 1919, 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 an information against Mario Campolieti, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on June 19, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Finest Quality Olive Oil Extra Pure," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the Halphen test for cottonseed oil to be strongly positive, and the net volume of the cans to be 0.898 gallon.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Finest Quality Olive Oil Extra Pure, Guaranteed Absolutely Pure, Tipo Termini Imerese Italy, Sicilia-Italia, 1 Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 gallon net of the article, but did contain a less amount, and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced, in whole or in part, in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the statements on the can purported that the article was a foreign product, when not so. 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.

On May 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL,

Acting Secretary of Agriculture.

7130. Adulteration and misbranding of rice bran. U. S. * * * v. 2695 Sacks, More or Less, of a Product Purporting to be Rice Bran. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9765. I. S. No. 2414-r. S. No. W-279.)

On February 21, 1919, the United States attorney for the Western District of Washington, 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 2,695 sacks, more or less, of a product purporting to be rice bran, remaining unsold in the original unbroken packages at Seattle, Wash., consigned on or about February 14, 1919, by the Pacific Rice By-Products Co., San Francisco, Calif., alleging that the article had been shipped and transported from the State of California into the State of Washington, 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 a product consisting largely of rice hulls had been mixed and packed therewith,