

On June 16, 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 be destroyed by the United States marshal.

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

**7282. Misbranding of olive oil. U. S. \* \* \* v. 2 Cases \* \* \* of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10382. I. S. No. 14984-r. S. No. E-1466.)

On May 27, 1919, the United States attorney for the Eastern District of Pennsylvania, 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 cases, each containing 48 cans of olive oil, consigned by W. P. Bernagozzi, New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about April 18, 1919, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "One Quart," borne on the labels of the cans, was false and misleading, whereas examination of 3 cans showed an average shortage in volume of 3.48 per cent, and the further examination of 11 cans indicated a shortage of 4.13 per cent. 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 declared.

On June 25, 1919, Cacciola Bros., Philadelphia, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

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

**7283. Adulteration of mineral water. U. S. \* \* \* v. 50 Cases of Mineral Water and U. S. \* \* \* v. 150 Cases of Mineral Water. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F & D. No. 9386. I. S. No. 5907-r, 5908-r. S. No. C-985.)

On October 9, 1918, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 cases and 150 cases of mineral water, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about July 19, 1918, by the Crazy Well Water Co., Mineral Wells, Tex., and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article in the 50 cases was labeled in part, "No 3 Crazy This is a Natural Saline, Alkaline Mineral Water \* \* \* Purgative and Diuretic, (or Freely Laxative and Mildly Diuretic). The Crazy Well Water Company Mineral Wells, Texas." The article in the 150 cases was similarly labeled except that the words "No. 4 Crazy" were substituted for the words "No. 3 Crazy."

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

On March 14, 1919, the said Crazy Well Water Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was