

the State of New York into the State of Massachusetts, and charging adulteration and misbranding under the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that said food consisted wholly or in part of starch and sugar and contained excessive cocoa shells, and in that the product was mixed in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cocoa, and for the further reason that the statement, "My Own Pure Cocoa," not sufficiently corrected by the inconspicuous statement, "My own cocoa compound," was false and misleading. 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 or measure.

On August 5, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7894. Misbranding of olive oil. U. S. * * * v. 3 Cases of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10390. I. S. No. 9432-r. S. No. C-1264.)

On May 27, 1919, the United States attorney for the Eastern District of Missouri, 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 3 cases of olive oil, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about April 19, 1919, by Kakarakis Bros., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding under the Food and Drugs Act. The article was labeled in part: (Gallon cans) "Contents 1 Gallon Electra Brand Extra superfine pure olive oil * * * Pure * * * Imported and packed by Kakarakis Bros., Chicago, Ill. * * *;" (half-gallon cans) "Contents ½ Gallon Electra Brand Extra superfine pure olive oil * * * Imported and packed by Kakarakis Bros., Chicago, Ill. * * *;" (quart cans) "Contents 1 Quart Electra Brand Extra superfine pure olive oil * * * Imported and packed by Kakarakis Bros., Chicago, Ill. * * *."

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, contained on the labels on the can aforesaid, as to the quantity of the contents aforesaid, were false and misleading and deceived and misled the purchaser thereof.

On May 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7895. Adulteration of dried Lima beans. U. S. * * * v. 308 Sacks of Dried Lima Beans. Consent decree of condemnation and forfeiture. Good portion ordered released under bond. (F. & D. Nos. 12562, 12563. I. S. Nos. 9027-r, 9032-r. S. No. C-1853.)

On March 18, 1920, the United States attorney for the Eastern District of Missouri, 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 308 sacks of dried Lima beans, remaining unsold in