

8656. Adulteration and misbranding of olive oil. U. S. * * * v. 193 Cases, Gallon Cans, 225 Cases, Half-gallon Cans, 81 Cases, Quart Cans, and 51 Cases, Pint Cans, of Olive Oil. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11022. I. S. No. 2914-r. S. No. W-443.)

On September 24, 1919, the United States attorney for the Northern District of California, 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 193 cases, gallon cans, 225 cases, half-gallon cans, 81 cases, quart cans, and 51 cases, pint cans, of olive oil, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Strohmeyer & Arpe Co., New York, N. Y., June 27, 1919, and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Olio D'Oliva Purissimo Garantito Marca Re Umberto I?" (picture of King of Italy) "* * * S. M. Umberto I Re D'Italia Re Umberto I? Brand * * *."

Adulteration of the article was alleged in the libel for the reason that Spanish oil had been substituted wholly or in part for Italian oil.

Misbranding was alleged in substance for the reason that the statements aforesaid were false and misleading and deceived and misled the purchaser into the belief that the product was Italian olive oil, when, in truth and in fact, it was not Italian olive oil, but was Spanish olive oil.

On September 24, 1919, the Strohmeyer & Arpe Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$16,500, in conformity with section 10 of the act, conditioned in part that the product be relabeled by stamping on each can in conspicuous type the legend "Product of Spain."

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

8657. Misbranding of Gray's Ointment. U. S. * * * v. 23 Dozen, 35 Dozen, and 21 Dozen Boxes of Gray's Ointment. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11087, 11088, 11089. I. S. Nos. 17256-r, 17255-r. S. Nos. E-1667, E-1668.)

On or about August 20, 1919, the United States attorney for the Eastern District of Virginia, 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 23 dozen, 35 dozen, and 21 dozen boxes of Gray's Ointment, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped on or about November 5, 1918, and May 5, 1919, by W. F. Gray & Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was composed essentially of lead salts, linseed oil, beeswax, and turpentine.

Misbranding of the article was alleged in substance in the libels for the reason that the circular accompanying the article bore certain statements, regarding the curative and therapeutic effect thereof, to wit, "Gray's * * * Ointment * * * For the relief of Mercurial and other Ulcers of long or short standing; * * * Scrofulous and other Tumors, including White Swellings, Sore Legs, * * * Old or Fresh Wounds, Gunshot Wounds, * * * Swellings and inflammations of all kinds; Rheumatic and other Pains; Scalds and