

of olive oil, and on or about June 25, 1919, of a quantity of cottonseed salad oil, which were misbranded. The articles were labeled in part: "Olio D'Oliva Purissimo Reginella Brand Pure Virgin Oil One Quart * * * Packed by Venice Importing Co., New York;" and "One Quart Packed by Venice Importing Co., N. Y., San Michele Brand Winter Pressed Cottonseed Salad Oil * * *."

Examination of samples of the olive oil by the Bureau of Chemistry of this department showed an average shortage in weight of 5.41 per cent and 2.64 per cent, respectively. Examination of a sample of the cottonseed salad oil by said bureau showed an average shortage in weight of 5 per cent.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "One Quart," borne on the cans containing the articles, regarding the articles, was false and misleading in that it represented that each of the cans contained 1 quart thereof, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each can contained 1 quart thereof, whereas, in truth and in fact, each of said cans did not contain 1 quart thereof, but contained a less amount. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On September 29, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

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

8718. Misbranding of rice. U. S. * * * v. Warfield-Pratt-Howell Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12335. I. S. No. 11554-r.)

On August 16, 1920, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Warfield-Pratt-Howell Co., a corporation, Sioux City, Iowa, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 6, 1919, from the State of Iowa into the State of South Dakota, of a quantity of rice which was misbranded. The article was labeled, (sack) "3 Lbs. Net Wooden Shoe Blue Rose Rice Warfield-Pratt-Howell Co., Des Moines, Sioux City, Cedar Rapids."

Examination of a sample of the article by the Bureau of Chemistry of this department showed an average shortage in weight of 6.1 per cent in 3 sacks.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "3 Lbs. Net," borne on the sacks containing the article, regarding the article, was false and misleading in that it represented that the sacks contained 3 pounds 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 each of the sacks contained 3 pounds net of the article, whereas, in truth and in fact, each of the sacks contained a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 19, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

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