

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 8951—9000.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 3, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8951. Adulteration and misbranding of olive oil. U. S. * * * v. 10 Cases * * * of Alleged Olive Oil. Decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10848. I. S. No. 2192-r. S. No. W-438.)

On July 17, 1919, the United States attorney for the Southern 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 10 cases, each containing 10 1-gallon cans of olive oil, remaining unsold in the original unbroken packages at Long Beach, Calif., alleging that the article had been shipped on or about April 13, 1918, by Meyer & Lange, New York, N. Y., 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, "Net Contents 1 Gallon Umberto Albertini Brand" (designs of medallions and monogram "U. A.").

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with, and substituted wholly and in part for, olive oil, so as to reduce and lower and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the cans were labeled as aforesaid, whereas, in truth and in fact, the said cans did not contain "Umberto Albertini Brand," but contained cottonseed oil, and said labeling and branding was calculated to mislead and deceive respective purchasers thereof. Misbranding was alleged for the further reason that the contents of said cans were an imitation of, and were offered for sale under the distinctive name of, another article, to wit, "Umberto Albertini Brand," whereas, in truth and in fact, the article was not "Umberto Albertini Brand," but was cottonseed oil. Misbranding was alleged for the further reason that the article purported to be a foreign product, when not so.

On March 31, 1920, the said Meyer & Lange, claimant, having by its answer admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be surrendered and delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$450, in conformity with section 10 of the act, conditioned in part that the product be relabeled in a manner satisfactory to this department.

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