9340. Adulteration and misbranding of olive oil. U. S. * * * v. 4 Cases * * * of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9218. I. S. No. 7504-r. S. No. C-949.)

On August 7, 1918, the United States attorney for the Northern District of Illinois, 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 4 cases, more or less, each containing 20 half-gallon cans, of olive oil, at Chicago, Ill., alleging that the article had been shipped by Nicholas Cosentino, Detroit, Mich., on March 4, 1918, and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

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

Misbranding was alleged in substance for the reason that the cans containing the article were denominated as to the contents thereof, and labeled as follows, "Full Half Gallon Net Italy Pure Olive Oil Philip Berio e Cie Lucca Tuscany," which statement was false and misleading in that it purported to set forth that the article consisted of pure olive oil, and for the further reason that the statement aforesaid deceived and misled the purchaser into the belief that the said article consisted of pure olive oil, whereas, in truth and in fact, it contained cottonseed oil.

On February 21, 1921, 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.

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

9341. Adulteration and misbranding of olive oil. U. S. * * * v. 5 Cases * * * of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9220. I. S. No. 7505-r. S. No C-950.)

On August 7, 1918, the United States attorney for the Northern District of Illinois, 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 5 cases, more or less, each containing 40 cans, of olive oil, at Chicago, Ill., alleging that the article had been shipped by Nicholas Cosentino, Detroit, Mich., on March 4, 1918, and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

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

Misbranding was alleged for the reason that the cans containing the article were denominated as to the contents thereof and labeled as follows, "Italia Olio D'Oliva Puro Felippo Berio & Cie Lucca Toscana One full Quart Net," which statement was false and misleading and deceived and misled the purchaser in that the said statement purported to set forth that the article consisted of pure olive oil, whereas, in truth and in fact, it contained cottonseed oil.

On February 21, 1921, 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.

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

9342. Misbranding of Milks Emulsion. U. S. * * * v. 7 Dozen Large and 26 Dozen Small Bottles of * * * Milks Emulsion. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 11187, 11188. I. S. Nos. 16417-r, 16418-r, 16419-r, 16420-r. S. Nos. E-1703, E-1704.)

On September 18, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District