

Adulteration of the article was alleged for the reason that a substance, corn oil and cottonseed oil, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Olio Finissimo Extra Virgin Sublime Best For Table And Medical Use" and "This Oil Is Guaranteed To Be Pure Under Any Chemical Analysis—Contents One Gallon," borne on the cans, were false and misleading and deceived and misled the purchaser, and the statements "Cottonseed Oil," borne on the can in small type, and "Cottonseed Oil Flavored With Olive Oil," borne on the carton containing 6 cans of the product, did not correct the misbranding. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, and 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.

On November 7, 1925, M. Catalano Co., Milwaukee, Wis., claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13953. Adulteration and misbranding of tomato sauce. U. S. v. 250 Cases and 34 Cases of Tomato Sauce. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19841. I. S. Nos. 19134-v, 19135-v. S. No. C-4649.)

On February 26, 1925, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 284 cases of tomato sauce, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by Antonio Morici Co., from Chicago, Ill., on or about November 15, 1924, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the article was labeled in part: (Case) "Contadina Brand Tomato Sauce. Packed by Hershel California Fruit Products Co. Inc. San Jose, Calif.," (can) "Tomato Sauce * * * Salsa di Pomodoro." The remainder of the said article was labeled in part: (Can) "Contadina Brand Naples Style Tomato Sauce. Packed By Hershel California Fruit Products Company San Jose, Cal."

Adulteration of the article was alleged in the libel for the reason that a substance, an artificially colored tomato paste, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Tomato Paste [Sauce]" and "Salsa Di Pomodoro," borne on the labels, were false and misleading and deceived and misled the purchaser.

On November 7, 1925, the M. Catalano Co., Milwaukee, Wis., claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13954. Adulteration and misbranding of meat meal. U. S. v. 60 Bags of Meat Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 20032. I. S. No. 22299-v. S. No. E-5301.)

On April 23, 1925, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 60 bags of meat meal, remaining in the original unbroken packages at Mount Jackson, Va., alleging that the article had been shipped by the Mutual Rendering Co., Inc., from Philadelphia, Pa., February 17, 1924, and transported from the State of Pennsylvania into the State of Virginia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. 55 Per Cent Mureco Meat Meal.

Guaranteed Analysis Protein Min. 55% Fat Min. 10% Fibre Max. 2% Phos. Acid Max. 10% Manufactured By Mutual Rendering Co., Philadelphia, Pa."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in protein had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "55 Per Cent Meat Meal Guaranteed Analysis Protein Min. 55%," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On October 26, 1925, 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 sold by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13955. Adulteration of water. U. S. v. Virginia Hot Springs Co. Plea of guilty. Fine, \$100. (F. & D. No. 19606. I. S. No. 16526-v.)

On August 9, 1925, the United States attorney for the Western District of Virginia, 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 Virginia Hot Springs Co., a corporation, Hot Springs, Va., alleging shipment by said company, in violation of the food and drugs act, on or about December 4, 1923, from the State of Virginia into the State of Florida, of a quantity of water which was adulterated. The article was labeled in part: "The Healing Springs 'Water' Healing Springs, Bath County, Virginia. Virginia Hot Springs Company Owner * * * Healing Springs, Va."

Examination by the Bureau of Chemistry of this Department of a sample of the water showed that it was polluted.

Adulteration of the article was alleged in the information for the reason that it consisted in whole and in part of a filthy and putrid and decomposed animal and vegetable substance.

On October 26, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13956. Adulteration of V. & S. compound. U. S. v. 50 Gallons of V. & S. Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 580-c.)

On August 12, 1920, the United States attorney for the Southern District of Florida, acting at the request of the Secretary of Agriculture of the State of Florida, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 50 gallons of V. & S. compound, at Fort Pierce, Fla., alleging that the article had been shipped from St. Louis, Mo., about June 4, 1920, and transported from the State of Missouri into the State of Florida, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "V. & S. Compound."

Adulteration of the article was alleged in the libel for the reason that another substance, to wit, saccharin, had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article contained saccharin, an added poisonous or deleterious ingredient, which might have rendered it injurious to health.

On November 18, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13957. Misbranding of jelly. U. S. v. 74 Pails of Jelly. Product ordered released under bond. (F. & D. No. 20330. I. S. No. 6922-x. S. No. E-5471.)

On or about August 18, 1925, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and on October 8, 1925, an amended libel praying the seizure and condemnation of 74 pails of jelly, remaining in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by the Excelsior Honey Co., Brooklyn, N. Y., on or about August 4, 1925, and transported from the State of