

tained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On October 14, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1665. Adulteration and misbranding of oil. U. S. v. 31 Cans of Oil. Default decree of condemnation and destruction. (F. D. C. No. 3343. Sample No. 34833-E.)**

This product was an artificially flavored and colored oil similar to soybean oil, containing little or no olive oil. It contained two colors, one unpermitted and one permitted in drugs and cosmetics but not in food. It was adulterated and misbranded as indicated below.

On November 12, 1940, the United States attorney for the Northern District of New York filed a libel against 31 cans of oil at Whitehall, N. Y., alleging that the article had been shipped in interstate commerce on or about July 5, 1940, by the Catania Importing Co. from Boston, Mass.; and charging that it was adulterated and misbranded. It was labeled in part: (Main panels) "La-Spagnola Brand Oil 78% Choice Cottonseed Salad Oil 22% Pure Imported Italian Olive Oil."

The article was alleged to be adulterated in that an artificially flavored and colored oil similar to soybean oil, containing little or no olive oil, had been substituted wholly or in part for 78 percent cottonseed oil and 22 percent olive oil, which it purported to be; in that its inferiority had been concealed by the addition of artificial flavor and color; in that artificial flavor and color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was; and in that it contained a coal-tar color other than one from a batch that had been certified in accordance with the regulations provided by law.

It was alleged to be misbranded in that the wording and design of the label was false and misleading since they conveyed the impression that it was of foreign origin; in that the statement "78% Choice Cottonseed Salad Oil 22% Pure Imported Italian Olive Oil" was false and misleading as applied to artificially flavored and colored oil similar to soybean oil, containing little or no olive oil; in that it was an imitation of another food and its label did not bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; in that the label contained representations in a foreign language (Italian) and the information required by the act to appear on the label did not appear thereon in the foreign language; and in that it contained artificial flavoring and artificial coloring and the label did not state that fact.

On January 14, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1666. Adulteration and misbranding of olive oil. U. S. v. 89 Gallon Cans, 2 Half-Gallon Cans, and 23 Quart Cans of Olive Oil. Default decree of condemnation and order that samples be delivered to the Government; remainder ordered distributed to charitable institutions. (F. D. C. No. 3400. Sample Nos. 34671-E to 34676-E, incl.)**

This product was represented in its labeling as olive oil, but it consisted essentially of cottonseed oil and contained little or no olive oil. The product in 87 of the 89 gallon cans contained artificial flavoring, and that in the remaining 2 gallon cans contained artificial coloring.

On or about November 20, 1940, the United States attorney for the District of Connecticut filed a libel against 89 gallon cans, 2 half-gallon cans, and 23 quart cans of olive oil at Danbury, Conn., alleging that the article had been shipped in interstate commerce on or about August 8, 28, and 30 and September 7, 1940, by Ciroco Oil Co., Inc., from Brooklyn, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part variously: (Cans) "Roberta Brand," "Puglia Brand," "Colomba Brand," "Lola Brand," "Italia Brand," or "Superfine Olive Oil A. Sasso."

The article was alleged to be adulterated in that a product consisting essentially of cottonseed oil and containing little or no olive oil, a portion of which contained artificial flavoring and a portion of which contained artificial coloring, had been substituted wholly or in part for olive oil, which it purported to be. The portion contained in the gallon cans was alleged to be adulterated further in that inferiority had been concealed by the addition of artificial flavoring or artificial coloring, and in that artificial flavoring or artificial coloring had been added thereto or mixed and packed therewith so as to make it appear better or of greater value than it was.