

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 it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; and in that it contained artificial coloring and did not bear labeling stating that fact.

On May 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2506. Misbranding of vegetable oil. U. S. v. 7 Cans of Vegetable Oil. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 5098. Sample No. 56280-E.)

Analysis showed that this product, which failed to bear a label, was a mixture of corn oil and peanut oil containing artificial color.

On July 7, 1941, the United States attorney for the District of New Jersey filed a libel against 7 cans of vegetable oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about May 23, 1941, by Filippo Catanzaro from Brooklyn, N. Y.; and charging that it was misbranded. The article was unlabeled except for the statement "5 U. S. gallons" embossed on the cans.

It was alleged to be misbranded in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer or distributor and did not bear a label containing an accurate statement of the quantity of the contents; in that it did not bear a label containing the common or usual name of the food; in that it was fabricated from two or more ingredients and did not bear a label containing the common or usual name of each such ingredient; and in that it contained artificial coloring and did not bear labeling stating that fact.

On October 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization.

2507. Adulteration and misbranding of oil. U. S. v. 8 Cases and 6 Cans of Cottonseed Corn & Olive Oil and 3 Cases and 4 Cans of Cottonseed and Olive Oil. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 3905. Sample Nos. 56025-E, 56026-E.)

Both lots of this oil consisted essentially of artificially flavored and artificially colored cottonseed oil containing little or no olive oil.

On March 4, 1941, the United States attorney for the District of Connecticut filed a libel against a total of 76 gallon cans of the above-described products at Waterbury, Conn., alleging that the articles had been shipped in interstate commerce on or about September 25, 1940, by Ciroco Oil Co. from Brooklyn, N. Y.; and charging that they were adulterated and misbranded. They were labeled in part: "Cottonseed Corn & Olive Oil Superfine Brand" and "Ciroco Brand 80% Cottonseed and 20% Olive Oil."

The products were alleged to be adulterated in that artificially flavored and artificially colored cottonseed oil, containing little or no olive oil, had been substituted wholly or in part for "Cottonseed Corn & Olive Oil" and "80% Cottonseed & 20% Olive Oil," which they purported to be; in that inferiority had been concealed by the addition of artificial flavor and artificial color; and in that artificial flavor and artificial color had been added thereto or mixed or packed therewith so as to make them appear better or of greater value than they were.

They were alleged to be misbranded in that the statements "Cottonseed Corn & Olive Oil" and "80% Cottonseed & 20% Olive Oil" were false and misleading; in that they were imitations of another food and their labels failed to bear, in type of uniform size and prominence, the word "Imitation" and immediately thereafter, the name of the food imitated; in that the labels contained representations in a foreign language (Italian) and the information required by the act to appear on the labels did not appear thereon in the foreign language; and in that they contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On May 26, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered distributed to charitable institutions.

2508. Misbranding of oil. U. S. v. 11 Cans, 5 Cans, and 6 Cans of Oil. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 5201. Sample Nos. 69647-E, 69648-E.)

This product failed to comply with certain of the mandatory labeling requirements of the law and also contained undisclosed artificial coloring.

On July 24, 1941, the United States attorney for the District of New Jersey filed a libel against 17 gallon cans and 5 5-gallon cans of oil at Newark, N. J.,

alleging that the article had been shipped in interstate commerce on or about May 24, 1941, by J. Cusumano from Brooklyn, N. Y.; and charging that it was misbranded. A portion of the article was labeled in part: "Special Salad Oil."

All of the article was alleged to be misbranded in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient; and in that it contained artificial coloring and did not bear labeling stating that fact. Portions of the article were alleged to be misbranded further in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor, and in that the label failed to bear the common or usual name of the food.

On October 17, 1941, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable organization.

2509. Adulteration and misbranding of olive oil. U. S. v. 5 Cases of Olive Oil. Default decree of condemnation and destruction. (F. D. C. No. 4800. Sample No. 56658-E.)

This product was represented to be olive oil but consisted essentially of an artificially flavored and colored mixture of cottonseed oil and an oil similar to corn oil. It contained a coal-tar color other than one from a batch that had been certified for food use.

On or about May 21, 1941, the United States attorney for the District of Connecticut filed a libel against 5 cases, each containing 6 gallon cans of olive oil at Torrington, Conn., alleging that the article had been shipped in interstate commerce on or about March 19, 1941, by A. Fiorello from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Virgin Olive Oil Superfine Brand Lucca Italy."

The article was alleged to be adulterated in that an artificially flavored and colored mixture of cottonseed oil and an oil similar to corn oil, containing little, if any, olive oil, had been substituted wholly or in part for olive oil, which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and artificial color; (3) in that artificial flavor and artificial 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 (4) in that it contained a coal-tar color other than one from a batch that had been certified as provided by law.

It was alleged to be misbranded (1) in that the following statements and designs were false and misleading: "Italian Product Imported Virgin Olive Oil Lucca Italy * * * This olive oil is guaranteed to be absolutely pure under any chemical analysis Recommended for table use and medicinal purposes [similar statements in Italian and the design of an olive branch and olives] * * *; Imported Pure Olive Oil"; (2) in that it was offered for sale under the name of another food; (3) in that it was an imitation of another food and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; (4) in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; and (5) in that it contained artificial flavoring and artificial coloring and failed to bear labeling stating that fact.

On September 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2510. Adulteration and misbranding of oil. U. S. v. 49 Cans of Blended Corn and Olive Oil. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 4789. Sample No. 33978-E.)

This product consisted essentially of cottonseed oil artificially colored to simulate olive oil.

On May 19, 1941, the United States attorney for the District of New Jersey filed a libel against 49 cans of oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about March 24, 1941, by Italo from New York, N. Y.; and charging that it was adulterated and misbranded. It was labeled in part: "Velardi Brand Special Blended Corn & Olive Oil Contents One Gallon."

The article was alleged to be adulterated (1) in that artificially colored cottonseed oil had been substituted wholly or in part for special blended corn and olive oil, which it purported to be; (2) in that inferiority had been concealed by the addition of artificial color; and (3) in that artificial color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.