

and olive oil, but did consist essentially of cottonseed oil and contain little or no olive oil.

DISPOSITION: February 7, 1949. A plea of guilty having been entered, the defendant was fined \$750 on count 1, and was fined \$500 and sentenced to imprisonment for 3 months on count 2. The prison sentence and fine on count 2 were suspended, and the defendant was placed on probation for 2 years.

14680. Adulteration and misbranding of oil. U. S. v. 11 Cans * * * (and other seizure actions). (F. D. C. Nos. 24924, 24926 to 24928, inc 24931, 24932, 24944, 24945. Sample Nos. 8134-K, 8140-K, 8142-K, 9840-K, 9850-K, 9896-K, 9898-K, 9899-K.)

LABELS FILED: June 30 and July 2 and 6, 1948, District of Connecticut and District of New Jersey.

ALLEGED SHIPMENT: On or about April 5, 16, 19, and 26, 1948, by the Bell Donna Packing Co., from Brooklyn, N. Y.

PRODUCT: 319 1-gallon cans of oil at Torrington, New Britain, and Winsted Conn., and Hackensack, West New York, and Paterson, N. J.

LABEL, IN PART: "Rinaldi Brand 80% Peanut Oil 20% Pure Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent olive oil, had been in whole or in part omitted from the article; and, Section 402 (b) (4), artificial flavoring had been added to the article and mixed and packed therewith so as to make it appear to be, or to contain substantial amounts of, olive oil, which is better and of greater value than peanut oil.

Misbranding, Section 403 (a), the label statements "Pure Olive Oil" and "20% Pure Olive Oil" were false and misleading as applied to an article containing little, if any, olive oil. (Analysis showed that the article was an artificially flavored peanut oil containing little, if any, olive oil.)

DISPOSITION: October 18 and November 29, 1948, and January 31, 1949. Default decrees of condemnation. The Connecticut lots were ordered delivered to charitable organizations. With the exception of 1 can which was ordered delivered to the Food and Drug Administration, the New Jersey lots were ordered delivered to charitable organizations, or destroyed in the event that the oil was found unfit for human consumption.

14681. Adulteration and misbranding of oil. U. S. v. 25 Cases * * *. (F. D. C. No. 24129. Sample No. 18215-K.)

LABEL FILED: November 24, 1947, Northern District of Ohio.

ALLEGED SHIPMENT: On or about October 20, 1947, by L. DaVia & Sons, from Pittsburgh, Pa.

PRODUCT: 25 cases, each containing 6 1-gallon cans, of oil at Cleveland, Ohio.

LABEL, IN PART: (Can, main panels) "One Gallon Fortebraccio Brand A Pure Blend of 80% Cotton Seed Oil, Corn Oil and 20% Olive Oil Keystone Grocery Distributing Co. of Pittsburgh, Inc. Pittsburgh, Pa."; (side panels) "Fortebraccio Brand E' Prodotto Dalla Migliore Qualita' D'Olio."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an artificially flavored mixture of cottonseed and corn oils, with very little, if any, olive oil had been substituted for 80 percent cottonseed oil, corn oil, and 20 percent olive oil; and, Section 402 (b) (4), artificial flavoring had been added thereto so as to make it appear to contain olive oil.

Misbranding, Section 403 (a), the label statement "A Pure Blend of 80% Cotton Seed Oil, Corn Oil and 20% Olive Oil" was false and misleading as applied to an artificially flavored mixture of cottonseed and corn oils with very little, if any, olive oil; and, Section 403 (f), an accurate statement of the quantity of the contents and the common or usual name of each ingredient did not appear on the label in the Italian language.

DISPOSITION: February 12, 1948. Ernest DiSanto, trading as the Central Wholesale Grocery Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Federal Security Agency.

SPICES, FLAVORS, AND SEASONING MATERIALS

1682. Adulteration of ajowan seed. U. S. v. 56 Bags * * *. (F. D. C. No. 26153. Sample No. 56083-K.)

IBEL FILED: December 27, 1948, Southern District of New York.

ALLEGED SHIPMENT: From a foreign country.

PRODUCT: 56 100-pound bags of ajowan seed at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 19, 1949. Default decree of condemnation and destruction.

683. Adulteration of fennel seed. U. S. v. 2 Bags * * *. (F. D. C. No. 27044. Sample No. 45798-K.)

IBEL FILED: April 12, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 9, 1949, by the Kearns & Smith Spice Co., from Chicago, Ill.

PRODUCT: 2 100-pound bags of fennel seed at St. Louis, Mo.

IBEL, IN PART: "Whole Fennel 100."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent pellets.

DISPOSITION: May 5, 1949. Default decree of condemnation and destruction.

184. Adulteration and misbranding of beet radish and horseradish. U. S. v. 25 Cases * * *. (F. D. C. No. 26607. Sample No. 56097-K.)

IBEL FILED: February 17, 1949, Eastern District of New York.

ALLEGED SHIPMENT: On or about December 21, 1948, by the Nonpareil Pickle Works, from Jersey City, N. J.

PRODUCT: 25 cases, each containing 24 6-ounce jars, of beet radish and horseradish at Brooklyn, N. Y.

IBEL, IN PART: "Eureka Brand Prepared Beet [or "Horse"] Radish."

NATURE OF CHARGE: Horseradish. Adulteration, Section 402 (b) (2), a mixture of horseradish with nonfat dry milk solids with artificial flavor had been substituted in whole or in part for horseradish; and, Section 402 (b) (4), artificial