

Misbranding of the article was alleged for the reason that the statements, to wit, "Olive Oil" and "Net Contents Full 1 Gallon," or "Net Contents Full 1/2 Gallon," or "Net Contents Full 1/4 Gallon," and the design comprising the Italian coat of arms, the Italian flag, crown and medals, with words in the Italian language, not corrected by the statements, "Cottonseed Oil" and "A Compound," in small and inconspicuous type, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full gallon, or one full half gallon, or 1 full quarter gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that said article was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 full gallon, or 1 full half gallon, or 1 full quarter gallon of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of corn oil, and was not a foreign product, to wit, olive oil produced in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon, or 1 full half gallon, or 1 full quarter gallon of the article, but contained a less amount; and for the further reason that it was a mixture composed in part of corn oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil. Misbranding of the article was alleged 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 August 6, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

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

7213. Misbranding of olive oil. U. S. * * * v. Socrates Moscahlades and Stylian os Moscahlades (Moscahlades Bros.). Plea of guilty. Fine, \$50. (F. & D. No. 9901. I. S. No. 13722-r.)

On July 21, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Socrates Moscahlades and Stylian os Moscahlades, trading as Moscahlades Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on December 15, 1917, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Gloria Virgin Pure Olive Oil," which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the $\frac{1}{2}$ -gallon cans were 5.56 per cent short volume, and the $\frac{1}{4}$ -gallon cans were 5.32 per cent short volume.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents $\frac{1}{2}$ Gal.," or "Net Contents $\frac{1}{4}$ Gal.," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, whereas, in truth and in fact, each of said cans did not contain $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, but contained a less amount. Misbranding of the article was alleged 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 July 30, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

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