

11812. Adulteration and misbranding of olive oil. U. S. v. 1 Barrel of Olive Oil. Default decree of condemnation, forfeiture, and sale.
(F. & D. No. 15669. I. S. No. 5252-t. S. No. E-3655.)

On November 30, 1921, the United States attorney for the District of New Hampshire, 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 1 barrel of olive oil at Nashua, N. H., alleging that the article had been shipped by Moustos & Cotsis, from Boston, Mass., on or about November 15, 1921, and transported from the State of Massachusetts into the State of New Hampshire, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Barrel) "Rivalry Extra Pure Olive Oil * * * Marconia 46;" (tag) "Importers Of Greek & Italian Products Pure Olive Oil A Specialty."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with and substituted wholly or in part for olive oil.

Misbranding of the article was alleged in substance for the reason that the statements in the labeling, to wit, "Rivalry Extra Pure Olive Oil" and "Greek & Italian Products Pure Olive Oil A Specialty," were false and misleading and deceived and misled the purchaser thereof. Misbranding was alleged for the further reason that the article was an imitation and was offered for sale under the distinctive name of another article, and for the further reason that it purported to be a foreign product when not so.

On October 20, 1922, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11813. Adulteration and misbranding of cocoa. U. S. v. 7 Dozen Packages of Cocoa. Default decree of condemnation, forfeiture, and sale.
(F. & D. No. 15749. I. S. No. 5254-t. S. No. E-3699.)

On December 27, 1921, the United States attorney for the District of New Hampshire, 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 7 dozen packages of cocoa at Manchester, N. H., alleging that the article had been shipped by Samuel Opler Co., from New York, N. Y., on or about June 3, 1921, and transported from the State of New York into the State of New Hampshire, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Amoskeag Brand Cocoa."

Adulteration of the article was alleged in the libel for the reason that excessive cocoa shells had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quantity [quality] and had been substituted wholly or in part for cocoa.

Misbranding was alleged in substance for the reason that the labels on the packages containing the article bore the statement, "Cocoa," which was false and misleading and deceived and misled the purchaser.

On October 20, 1922, 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.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11814. Adulteration of tomato catsup. U. S. v. 411 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 15980. I. S. Nos. 18310-t, 18311-t. S. No. C-3422.)

On February 14, 1922, the United States attorney for the Eastern District of Louisiana, 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 411 cases of tomato catsup, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Thomas Canning Co., Grand Rapids, Mich., on or about November 30, 1921, and transported from the State of Michigan into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Thomas' Tomato Catsup * * * Packed By Thomas Canning Co. Grand Rapids, Mich."

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