

execution of bonds totaling \$250, conditioned that it be relabeled under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22294. Adulteration of candy. U. S. v. 23 Boxes, et al., of Candy. Default decrees of destruction.** (F. & D. nos. 31966, 31967, 31968. Sample nos. 51646-A, 51647-A, 51648-A.)

These cases involved interstate shipments of candy which contained concealed coins.

On February 9, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 86 boxes of candy, in part at Paterson, N.J., and in part at Jersey City, N.J., alleging that the article had been shipped in interstate commerce on or about January 19, 22, and 25, 1934, by the Josephson Candy Co., Inc., from Long Island City, N.Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "120 Count [or "Ct."] Pocketbook."

It was alleged in the libels that the article was adulterated under the provisions of the law relating to confectionery, in that it contained an ingredient deleterious or detrimental to health, namely, a copper cent.

Adulteration was alleged under the provisions of the law relating to food in that the article contained an added deleterious ingredient which might have rendered it injurious to health.

On April 2, 1934, no claimant having appeared for the property, judgments were entered ordering that the United States money be removed and turned over to the United States Treasury, and that the candy be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22295. Misbranding of salad oil. U. S. v. 25 Cans of Salad Oil. Default decree of condemnation. Product distributed to charitable institutions.** (F. & D. no. 31939. Sample no. 43072-A.)

This case involved a shipment of a product consisting largely of domestic cottonseed oil, which was labeled to convey the impression that it was olive oil of foreign origin.

On or about February 7, 1934, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 cans of salad oil at East Hartford, Conn., alleging that the article had been shipped in interstate commerce on or about November 2, 1933, by Pietro Esposito & Bro., Inc., from New York, N.Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Side panel of can) "La Gloriosa Packing Co., P. E. & B. Inc. N. Y."

It was alleged in the libel that the article was misbranded in that the statements, "La Gloriosa Brand", "Prize Awarded at Exhibition of Rome 1924", "Italy", and "Olio Finisimo", together with the designs of a crown, olive branches, and medal carrying the Italian national colors, borne on the label, and the prominence given to the words "Lucca Olive Oil" in the statement on the label, "Pure and Delicious Oil Composed of Eighty Five Percent Choice Salad Oil, and Fifteen Percent Lucca Olive Oil", were misleading, and deceived and misled the purchaser, since they created the impression that the article was Italian olive oil, whereas it consisted largely of domestic cottonseed oil.

On April 26, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be distributed to charitable institutions.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22296. Misbranding of diced mixed peel with cherries, diced citron peel, and diced orange peel. U. S. v. 10 Cases and 6 Cases of Diced Mixed Peel with Cherries, et al. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. nos. 31747, 31748, 31749. Sample nos. 55195-A, 55196-A, 55198-A.)

These cases involved food products which were short weight. Examination further showed that the diced citron peel contained an undeclared coal-tar dye.

On December 22, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 16 cases of diced mixed peel with cherries, 5 cases of diced citron peel, and 4½ cases of diced