

On January 28, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to charitable institutions.

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

24284. Misbranding of salad oil. U. S. v. 15 Cartons and 18 Cartons of Salad Oil. Consent decrees of condemnation. Product delivered to charitable institutions. (F. & D. nos. 34457, 34465. Sample nos. 21211-B, 21238-B.)

These cases involved a product consisting of domestic cottonseed oil which was labeled to convey the impression that it was imported olive oil.

On or about December 3, 1934, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 33 cartons of salad oil at Hartford, Conn., alleging that the article had been shipped in interstate commerce in various lots on or about July 5 and July 25, and August 14, 1934, by Samuel A. Stone, in part from Brooklyn, N. Y., and in part from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act. A portion of the article was labeled: "Olio La Sorella." The remainder was labeled: "Adamo Brand Prime Quality Vegetable Oil * * * Adamo Canning Co. New York." The libel further alleged that the product labeled "Olio La Sorella" had been manufactured by the Venice Importing Co.

The article was alleged to be misbranded in that the following statements appearing in the labeling, namely, "Marca Olio La Sorella", "La Sorella e un olio puro per insalata eccellente per ogni uso di cucina e di tavola", with respect to a portion of the product, and the statements, "Adamo * * * Prima Qualita' Olio Vegetale Puro il migliore per tavola e cucina", "Marca Adamo Olio per salse frittura insalata e qualsiasi uso da tavola e cucina", with respect to the remainder, were misleading and tended to deceive and mislead the purchaser, since they created the impression that the product was Italian olive oil; whereas it was not. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so. Misbranding of the Adamo brand oil was alleged for the further reason that the statement on the can label, "Prime Quality Vegetable Oil", was misleading and tended to mislead the purchaser, since the term is also applicable to olive oil.

On January 28, 1935, no claim for the product having been entered, and Samuel A. Stone, having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be delivered to charitable institutions.

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

24285. Adulteration of canned shrimp. U. S. v. 4 Cases of Canned Shrimp. Default decree of destruction. (F. & D. no. 34461. Sample no. 22242-B.)

This case involved an interstate shipment of canned shrimp which was found to be in part decomposed.

On December 11, 1934, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four cases of canned shrimp at Dublin, Ga., alleging that the article had been shipped in interstate commerce on or about July 30 and August 6, 1934, by the Cochran Bros. Co., of Dublin, Ga., from Jacksonville, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Florida Chief Brand Nassau Shrimp * * * Packed by The Nassau Packing Co., S. S. Goffin, Jacksonville, Fla."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On January 8, 1935, no claimant having appeared, judgment was entered ordering that the product be destroyed.

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

24286. Misbranding of salad oil. U. S. v. 50 Cases, et al., of Salad Oil. Decrees of condemnation. Portions of product released under bond to be repacked. Remainder delivered to charitable organizations. (F. & D. nos. 34466, 34475 to 24478, incl., 34575, 34576, 34577. Sample nos. 17148-B, 21202-B, 21203-B, 21210-B, 21226-B, 21239-B, 21258-B, 21259-B.)

These cases involved a product which was labeled to convey the impression that it was Italian olive oil, but which consisted essentially of cottonseed oil, or

sunflower oil, or an oil similar to sunflower oil. Examination indicated the presence of a small amount of olive oil in certain lots.

On or about December 3 and December 8, 1934, the United States attorney for the District of Connecticut, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 50 cases, 77¼ cartons, and 55 cans of salad oil in various lots at Hartford, New Haven, and Meriden, Conn., alleging that the article had been shipped in interstate commerce between the dates of May 17 and November 22, 1934, by the Strohmeier & Arpe Co., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act. One lot was labeled: "San Rocco Brand * * * Strohmeier & Arpe New York Distributors." The remaining lots were labeled: "Olio Caiialuna Vera Blend [or "Olio San Rocco"] * * * United Pure Food Co. N. Y. Distributors."

The article was alleged to be misbranded in that the following statements on the label, namely, "Olio Caiialuna", "Stella", "Vera Blend", and "Composto Di Quindici Per Cento D'Olio Puro D'Oлива E Di Ottantá Cinque Per Cento D'Olio Vegetale," with respect to the Caiialuna brand, and "Olio San Rocco", "Prodotto Genuino", "Pure Vegetable Oil", and "Per insalata per cucinare e per condire", with respect to the San Rocco brand and the picture of a shepherd in foreign garb on the label of the San Rocco brand were misleading and tended to deceive and mislead the purchaser since they created the impression that the product was Italian olive oil; whereas it was not. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so.

Strohmeier & Arpe Co. filed claims and answers in all cases, with one exception, admitting the allegations of the libels and consenting to the entry of decrees. On January 29, 1935, judgments of condemnation were entered and it was ordered that portions of the product for which claims had been entered be released under bond, conditioned that it be repacked in properly labeled containers. On February 19, 1935, no claim having been entered in the remaining case, judgment of condemnation was entered and it was ordered that the product be delivered to charitable organizations.

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

24287. Adulteration of chestnuts. U. S. v. 10 Barrels of Chestnuts. Default decree of condemnation and destruction. (F. & D. no. 34562. Sample no. 16414-B.)

This case involved an interstate shipment of chestnuts which were found to be in part moldy and insect-damaged.

On December 14, 1934, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 barrels of chestnuts at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about November 14, 1934, by J. P. Descalzi, from New York, N. Y., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On January 8, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24288. Adulteration of chestnuts. U. S. v. 19 Barrels of Chestnuts. Default decree of condemnation and destruction. (F. & D. no. 34571. Sample no. 6232-B.)

This case involved a shipment of chestnuts which were found to be in large part wormy and decayed.

On December 19, 1934, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 barrels of chestnuts at Tampa, Fla., alleging that the article had been shipped in interstate commerce on or about December 1, 1934, by H. Schnell & Co., from New York, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "G B NO Cavargna and Baggi Esportazione Castagne Marca Cueno New York Italy."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On January 21, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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