

of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be exported.

W. R. GREGG, *Acting Secretary of Agriculture.*

24722. Misbranding of salad oil. U. S. v. 50 Cans of Salad Oil. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 34220. Sample no. 17609-B.)

This case involved a product consisting of cottonseed oil artificially colored and flavored in imitation of olive oil, and labeled to convey the impression that it was olive oil.

On October 31, 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 a libel praying seizure and condemnation of 50 cans of salad oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about October 8, 1934, by the Valentino Salad Oil Co., from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Olio Da Lucca Brand."

The article was alleged to be misbranded in that the designation, "Olio Marca Da Lucca," was misleading and tended to deceive and mislead the purchaser, when applied to an imitation olive oil. Misbranding was alleged for the further reason that the article was an imitation of another article, namely, olive oil, and was not plainly and conspicuously labeled as an imitation.

On May 24, 1935, the Valentino Salad Oil Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled.

W. R. GREGG, *Acting Secretary of Agriculture.*

24723. Misbranding of salad oil. U. S. v. 31 Cans and 124 Cans of Salad Oil. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. nos. 34242, 34243. Sample nos. 17092-B, 17098-B.)

These cases involved a product consisting of a mixture of oils, mainly cottonseed oil with some olive oil, which was labeled to convey the impression that it was Italian olive oil.

On November 2, 1934, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 155 cans of salad oil in part at North Bergen, N. J., and in part at Elizabeth, N. J., alleging that the article had been shipped in interstate commerce between the dates of September 26 and October 22, 1934, by the Valentino Salad Oil Co., from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Olio DaLucca Brand * * * Packed By Valentino Salad Oil Co. Brooklyn, N. Y."

The article was alleged to be misbranded in that the following statements on the label, "Olio Marca DaLucca Olio puro d'oliva quindici per cento, con la migliore qualita d'olio vegetabile ottanta cinque per cento con aroma e colore * * * Olio Marca DaLucca Garantito sotto ogni analisi chimica. Confezionato col processo piu igienico", were misleading and tended to deceive and mislead the purchaser, since they implied that the article was Italian olive oil; whereas it was not.

On May 24, 1935, the Valentino Salad Oil Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled.

W. R. GREGG, *Acting Secretary of Agriculture.*

24724. Adulteration of canned mackerel. U. S. v. 447 Cases and 848 Cases of Canned Mackerel. Decrees of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. nos. 34340, 34435. Sample nos. 11461-B, 17577-B.)

These cases involved canned mackerel which was in part decomposed.

On November 9 and November 23, 1934, the United States attorneys for the Southern District of Alabama and the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the respective district courts libels praying seizure and condemnation of 447 cases of canned mackerel at Mobile, Ala., and 848 cases of canned mackerel at Orange, N. J., alleging that the article had been shipped in interstate commerce on or about August 29 and September 24, 1934, by the Southern California Fish Corporation, from Terminal