

and in that cottonseed oil had been added thereto and mixed and packed therewith so as to reduce its quality or strength or to make it appear better or of greater value than it was.

It was alleged to be misbranded in that the following statements in the labeling were false and misleading when applied to an article that was short volume and that contained a great deal of cottonseed oil: (Can) "One gallon net Italian Product imported virgin olive Oil Superfine Brand Lucca Italy. Prodotto Italiano Olio D'Oliva Vergine Importato Sopraffino Lucca Italia. This Olive Oil is guaranteed to be absolutely pure under any chemical analysis. * * * Quest Olio D'Oliva E. Garantito Assolutamente Puro Soto Qualsiasi Analisi Chimica." It was alleged to be misbranded further in that it was offered for sale under the name of another article; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On March 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

487. Misbranding of olive oil. U. S. v. 21 Cans of Olive Oil. Decree of condemnation and forfeiture. Product delivered to a charitable institution. (F. D. C. No. 1464. Sample Nos. 58760-D, 75634-D.)

Examination showed the containers of this product to be short of the declared volume.

On February 7, 1940, the United States attorney for the Southern District of Ohio filed a libel against 21 cans of olive oil at Cincinnati, Ohio, consigned on or about September 20, 1939, alleging that the article had been shipped in interstate commerce by R. Gerber & Co. from Chicago, Ill.; and charging that it was misbranded. The article was labeled in part: "Campanello Brand."

The article was alleged to be misbranded in that the statement on the label, "Contents One Gallon," was false and misleading since it was incorrect. It was alleged to be misbranded further in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On March 15, 1940, no claimant having appeared, a decree of condemnation was entered and it was ordered that the product be delivered to a charitable institution on condition that the statement of the quantity of contents be obliterated.

CANDY

Nos. 488 to 492 report the seizure and disposition of candy which was in interstate commerce when examined and which was found to be insect-infested at that time.

488. Adulteration of candy. U. S. v. 11 Boxes and 26 Boxes of Candy. Default decree of condemnation and destruction. (F. D. C. Nos. 973, 974. Sample Nos. 58130-D, 58131-D.)

On November 21, 1939, the United States attorney for the District of Arizona filed a libel against 37 boxes of candy at Phoenix, Ariz., alleging that the article had been shipped by the Euclid Candy Co. of California, Inc., within the period from on or about April 21 to on or about June 28, 1939, in part from Los Angeles, and in part from San Francisco, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Euclid's Pecan Roll" or "Cardinal Bar."

On January 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

489. Adulteration of milk chocolate. U. S. v. 7 Boxes of Milk Chocolate. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 743. Sample No. 58056-D.)

On October 18, 1939, the United States attorney for the District of Arizona filed a libel against seven boxes, each containing 26 bars of milk chocolate, at Douglas, Ariz., alleging that the article had been shipped in interstate commerce on or about December 24, 1938, by the Melster Candy Co. from Cambridge, Wis.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Melsters Swiss * * * Milk Chocolate Melster Candies, Inc."

On January 8, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered and the product was ordered destroyed.