

2518. Adulteration and misbranding of olive oil. U. S. v. 6 Drums of Olive Oil. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 4971. Sample No. 53607-E.)

This product was adulterated with cottonseed oil and/or other vegetable oil. On June 24, 1941, the United States attorney for the Eastern District of Louisiana filed a libel against 6 drums of olive oil at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about May 8, 1941, by Uddo-Taormina Corporation from Buena Park, Calif.; and charging that it was adulterated and misbranded. The article was labeled in part "200/N O/U. T. C."

It was alleged to be adulterated in that a substance, olive oil adulterated with cottonseed oil and/or other vegetable oil, had been substituted wholly or in part for olive oil, which it purported to be.

It was alleged to be misbranded in that it was offered for sale under the name of another food; in that it was in package form and did not bear a label containing the name and place of business of the manufacturer, packer, or distributor; and in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

On September 25, 1941, Uddo-Taormina Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling.

2519. Adulteration and misbranding of oil. U. S. v. 64 Cans of Peanut and Olive Oil. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 4790. Sample No. 69205-E.)

This product was essentially a mixture of peanut and cottonseed oil artificially flavored and colored to simulate olive oil.

On May 19, 1941, the United States attorney for the District of New Jersey filed a libel against 64 cans of oil at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about March 19, 1941, by the Naples Oil Packing Co., from Brooklyn, N. Y.; and charging that it was adulterated and misbranded. The article was labeled in part: "Pico Brand Finest Quality Oil Peanut & Olive Oil."

The article was alleged to be adulterated (1) in that an artificially flavored and colored mixture of peanut and cottonseed oil had been substituted wholly or in part for peanut and olive oil, which it purported to be; (2) in that inferiority had been concealed by the addition of artificial flavor and color; and (3) in that artificial flavor and color had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded (1) in that the statement "Peanut & Olive Oil" was false and misleading as applied to an artificially flavored and colored mixture of peanut and cottonseed oil; (2) in that it was an imitation of another food and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; (3) in that the label contained representations in a foreign language (Italian) and the information required by the act to appear on the label did not appear thereon in the foreign language; and (4) in that it contained artificial flavoring and artificial coloring and did not bear labeling stating that fact.

On October 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

SACCHARINE PRODUCTS

CANDY

Nos. 2520 to 2537 report the seizure and disposition of candy that had been prepared under insanitary conditions, and was contaminated with filth such as insect fragments and/or rodent hairs and excreta.

2520. Adulteration of candy. U. S. v. 90 Boxes of Candy (and 5 other seizures of candy). Default decrees of condemnation and destruction. (F. D. C. Nos. 5007, 5037 to 5040, incl., 5103. Sample Nos. 47455-E, 51601-E, 51602-E, 57431-E, 62616-E to 62618-E, incl., 62621-E.)

On June 28 and 30 and July 8, 1941, the United States attorneys for the Eastern District of Michigan, Eastern District of Missouri, District of Rhode Island, and the Eastern District of Wisconsin filed libels against the following amounts of candy: 341 boxes at Detroit, Mich., 90 boxes at St. Louis, Mo., 77 boxes at Providence, R. I., and 122 boxes at Milwaukee, Wis., alleging that the article had been shipped within the period from on or about April 23 to on or