

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a substance which consisted essentially of corn oil and which contained not over 9 percent of olive oil had been substituted for "80% vegetable oil and 20% of Pure Virgin Olive Oil," which the article was represented to be.

Misbranding, Section 403 (a), the statement, "An Excellent Composition of 80% vegetable oil and 20% of Pure Virgin Olive Oil" was false and misleading; in addition, the prominent word "Liguria," which is the name of an Italian province, and the design of medals, coupled with the prominent statement "Pure Virgin Olive Oil," were misleading since they created the impression that the article was a foreign product; and, Section 403 (i) (2), the product was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient since vegetable oil is not the common or usual name for corn oil.

**DISPOSITION:** August 10, 1944. The Western Food Corporation having appeared as claimant and consented to the entry of the decree, judgment of condemnation was entered and the product was ordered released under bond for removal of the contents of the cans into a properly labeled container, under the supervision of the Food and Drug Administration.

**6181. Misbranding of olive oil. U. S. v. 95 Cans of Olive Oil. Consent decree of condemnation. Product ordered released under bond to be emptied into storage tanks for use in blending edible oils. (F. D. C. No. 12432. Sample No. 76372-F.)**

**LIBEL FILED:** On or about May 25, 1944, District of Connecticut.

**ALLEGED SHIPMENT:** On or about March 1, 1944, by the Balbo Oil Co., from Brooklyn, N. Y.

**PRODUCT:** 95 cans of olive oil at New Haven, Conn.

**LABEL, IN PART:** (Cans) "One Gallon Net Cellini Brand Pure Olive Oil."

**VIOLATIONS CHARGED:** Misbranding, Section 403 (a), in that the statement "One Gallon Net" was false and misleading as applied to an article that was short-volume; and, Section 403 (e) (2), in that it was in package form and failed to bear a label which contained an accurate statement of the quantity of the contents.

**DISPOSITION:** August 10, 1944. Meyer Mester and Murray Mester, doing business as the Balbo Oil Co., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be emptied into storage tanks, for use in blending edible oils, under the supervision of the Food and Drug Administration.

**6182. Misbranding of oil. U. S. v. 76 Gallons of Oil. Default decree of condemnation. Two cans ordered delivered to the Food and Drug Administration; remainder ordered transferred to the U. S. Marine Hospital. (F. D. C. No. 12122. Sample No. 66373-F.)**

**LIBEL FILED:** April 3, 1944, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about February 7, 1944, by the Caruso Products Distributing Corporation, from Newark, N. J.

**PRODUCT:** 76 1-gallon cans of oil at Brooklyn, N. Y.

**LABEL, IN PART:** "Signora Brand \* \* \* Corn and Olive Oil \* \* \* Packed For J. Guarino Newark, N. J."

**VIOLATION CHARGED:** Misbranding, Section 403 (a), the prominent statement "Corn and Olive Oil," on the labeling, was misleading as applied to the article, which consisted essentially of corn oil, and which contained little or no olive oil.

**DISPOSITION:** June 27, 1944. No claimant having appeared, judgment of condemnation was entered, and two cans were ordered delivered to the Food and Drug Administration. The remainder was ordered transferred to the U. S. Marine Hospital for consumption and not for sale.

## POULTRY

**6183. Adulteration and misbranding of dressed poultry. U. S. v. P. G. Gray, Jr. Plea of guilty. Fine, \$200 and costs. (F. D. C. No. 11411. Sample Nos. 57443-F to 57445-F, incl.)**

**LIBEL FILED:** On June 13, 1944, in the Northern District of Iowa, against P. G. Gray, Jr., Estherville, Iowa.

**ALLEGED SHIPMENT:** On or about October 6 and 11, 1943, from the State of Iowa into the State of New York

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (5), the article was in whole or in part the product of poultry that was diseased at the time of slaughter.

Misbranding, Section 403 (e) (1), the article was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear an accurate statement of the quantity of the contents in terms of weight; and, Section 403 (i) (1), its label failed to bear the common or usual name of the food.

**DISPOSITION:** June 13, 1944. A plea of guilty having been entered by the defendant, a fine of \$50 on each of 4 counts, a total of \$200 and costs, was imposed.

**6184. Adulteration of dressed poultry. U. S. v. Sunflower Poultry & Egg Co. Plea of nolo contendere. Fine, \$250. (F. D. C. No. 11388. Sample No. 46500-F.)**

**INFORMATION FILED:** On April 3, 1944, in the District of Kansas, against the Sunflower Poultry & Egg Co., a corporation, McPherson, Kans.

**ALLEGED SHIPMENT:** On or about September 1, 1943, from the State of Kansas into the State of Illinois.

**LABEL, IN PART:** (Portion of product) "Lady Aster Finer Quality Poultry J. Manaster Company Chicago, Ill."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance; and, Section 402 (a) (5), it was in whole or in part the product of poultry that was diseased at the time of slaughter.

**DISPOSITION:** September 11, 1944. A plea of nolo contendere having been entered, a fine of \$250 was imposed.

**6185. Adulteration of poultry. U. S. v. F. M. Stamper Co., a corporation. Plea of nolo contendere. Total fine, \$300. (F. D. C. No. 10572. Sample Nos. 22022-F, 22024-F to 22026-F, incl.)**

**INFORMATION FILED:** On September 24, 1943, in the Eastern District of Missouri, against the F. M. Stamper Co., a corporation, St. Louis, Mo.

**ALLEGED SHIPMENT:** From on or about August 10 and September 13, 1942, from the State of Missouri into the State of Pennsylvania.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance; and, Section 402 (a) (5), it was in whole or in part the product of diseased animals.

**DISPOSITION:** June 5, 1944. A plea of nolo contendere having been entered, a fine of \$100 on each of 3 counts was imposed.

#### SPICES AND FLAVORS\*

**6186. Adulteration of coriander seed. U. S. v. 18 Bags of Coriander Seed. Default decree of condemnation and destruction. (F. D. C. No. 12057. Sample Nos. 64845-F, 64853-F.)**

**LIBEL FILED:** March 30, 1944, Western District of Washington.

**ALLEGED SHIPMENT:** On or about March 6, 1943, by Herbert Hahn, from Blackfoot, Idaho.

**PRODUCT:** Coriander seed, 18 bags, each containing 50 pounds, at Seattle, Wash.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent pellets and insects.

**DISPOSITION:** September 16, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6187. Adulteration of fennel seed. U. S. v. 9 Bags of Fennel Seed. Default decree of condemnation and destruction. (F. D. C. No. 12008. Sample Nos. 70772-F, 70773-F.)**

**LIBEL FILED:** March 27, 1944, Western District of Washington.

**ALLEGED SHIPMENT:** On or about May 6, 1941, by Levy & Levis Co., Inc., from New York, N. Y.

**PRODUCT:** 9 bags, each containing about 150 pounds, of fennel seed at Seattle, Wash.

\*See also Nos. 6004, 6174.