

**LABEL, IN PART:** (Bottles) "Royal Cook Brand \* \* \* Peanut Oil"; (gallon bottles also labeled) "Packed By Agash Refining Corp. Brooklyn, N. Y."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a substance, cottonseed oil, had been substituted in part for the product.

Misbranding, Section 403 (a), the statement on the label, "Peanut Oil," was false and misleading when applied to the product, which contained some cottonseed oil; Section 403 (b), the product was offered for sale under the name of another food, "Peanut Oil"; and, Section 403 (i), it was a mixture of peanut oil and cottonseed oil, and its label did not bear the common or usual name of each ingredient.

**DISPOSITION:** October 10, 1944. The Italian Cook Oil 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 to be relabeled and brought into compliance with the law, under the supervision of the Food and Drug Administration.

**6778. Adulteration and misbranding of olive oil. U. S. v. Antonio Candela. Plea of guilty. Fine, \$50. (F. D. C. No. 7196. Sample Nos. 56682-E, 56683-E.)**

**INFORMATION FILED:** On March 30, 1944, in the Southern District of New York, against Antonio Candela, New York, N. Y.

**ALLEGED SHIPMENT:** On or about April 30, 1941, from the State of New York into the State of Connecticut.

**PRODUCT:** This product consisted chiefly of cottonseed oil, with some olive oil present.

**LABEL, IN PART:** (Portion) "Non Plus Ultra Olio Soprafinno Puro D'Oliva \* \* \* Extra Sublime Olive Oil Packed expressly for Luigi Perrone, Bronx, N. Y. Packed in Italy"; (remainder) "Eletta Brand \* \* \* Imported & packed exclusively for Scelta Food Products Co. New York, N. Y." Both lots bore designs of an olive branch and olives.

**VIOLATIONS CHARGED:** Adulteration, Section 403 (b) (2), a substance consisting essentially of cottonseed oil, with some olive oil, had been substituted in whole or in part for olive oil, which the article purported and was represented to be.

Misbranding, Section 403 (a), the labeling bore false and misleading statements and designs, which represented and implied, with respect to a portion, that the product was an absolutely pure olive oil of the finest quality, and that it had been packed in Italy, and, with respect to the remainder, that it was a pure, imported olive oil; Section 403 (b), the product consisted of a mixture of cottonseed oil and olive oil, and was offered for sale under the name of olive oil; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

**DISPOSITION:** April 5, 1944. A plea of guilty having been entered, the defendant was fined \$50.

**6779. Adulteration of olive oil. U. S. v. 29 Cans and 63 Cans of Olive Oil. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 12289, 12290. Sample Nos. 66572-F, 66573-F.)**

**LIBELS FILED:** On or about May 4, 1944, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about February 24 and March 24, 1944, by the Western Food Corporation, from Chicago, Ill.

**PRODUCT:** 92 1-gallon cans of olive oil at Kansas City, Mo.

**LABEL, IN PART:** (Main panels) "W-F-C Liguria Superfine Brand \* \* \* 80% vegetable oil and 20% of Pure Virgin Olive Oil," and a design of medals.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a substance consisting essentially of corn oil, and containing about 2 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 as applied to the article, and 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 article 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:** July 17, 1944. The Western Food Corporation, claimant, having