

individual sentences were suspended and the defendants were placed on probation for a period of 1 year.

**9156. Adulteration and misbranding of edible oil. U. S. v. Western Food Corporation. Plea of guilty. Fine, \$300 and costs. (F. D. C. No. 14264. Sample Nos. 66572-F, 67469-F.)**

**INFORMATION FILED:** June 13, 1945, Northern District of Illinois, against the Western Food Corporation, Chicago, Ill.

**ALLEGED SHIPMENT:** On or about March 9 and 24, 1944, from the State of Illinois into the States of Missouri and Ohio.

**LABEL, IN PART:** "W. F. C. Liguria Superfine Brand An Excellent Composition of 80% Vegetable Oil and 20% Pure Virgin Olive Oil."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent of the article, olive oil, had been in part omitted from it; and Section 402 (b) (2), a substance consisting essentially of corn oil and containing materially less than 20 percent of olive oil had been substituted for 80 percent of vegetable oil and 20 percent of pure virgin oil, which the article was represented to be.

Misbranding Section 403 (a), the label statement, "An Excellent Composition of 80% Vegetable Oil and 20% Pure Virgin Olive Oil," was false and misleading since the article contained materially less than 20 percent of olive oil; and the word "Liguria," which is the name of an Italian province, and the design of medals, together with the prominent statement "Pure Virgin Olive Oil," borne on the cans containing the article, were misleading since they created the impression that the article was a foreign product, whereas it was essentially a domestic product consisting, in most part, of corn oil produced in the United States.

**DISPOSITION:** September 27, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$300 and costs.

**9157. Adulteration and misbranding of edible oils. U. S. v. 15 Cans of Edible Oils (and 4 other seizure actions against edible oils). Default decrees of condemnation. Products ordered delivered to charitable institutions. (F. D. C. Nos. 16117, 16277, 16278, 16332, 16335. Sample Nos. 4063-H, 6974-H, 6990-H, 6997-H, 6998-H.)**

**LABELS FILED:** Between May 7 and June 4, 1945, District of New Jersey and Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** Between the approximate dates of March 8 and May 10, 1945, from Brooklyn, N. Y., by the Mamma Mia Importing Co., Inc.

**PRODUCT:** Edible oils. 15 1-gallon cans at Clifton, N. J., 88 1-gallon cans and 10 cases at Newark, N. J., and 5 cases at Philadelphia, Pa. Each case contained 6 1-gallon cans of edible oils.

Analyses disclosed that the Clifton lot consisted essentially of cottonseed oil, containing little or no olive oil or peanut oil; that one of the Newark lots consisted essentially of peanut oil and some cottonseed oil, with little or no olive oil; that the other two Newark lots consisted essentially of corn oil or corn oil and a vegetable oil such as soya or sunflower seed oil, containing little or no peanut or olive oil; and that the Philadelphia lot consisted essentially of a vegetable oil such as sunflower seed oil with some cottonseed, peanut, and corn oils, but little, if any, olive oil.

**LABEL, IN PART:** (Can) "America's Finest Brand \* \* \* Peanut and Imported Olive Oil [or "Peanut and Pure Olive Oil"] Packed by \* \* \* Sunshine Edible Oil Co. Inc, Brooklyn, N. Y.," or "Santuzza Brand 80% Cotton Seed & Peanut Oil 20% Imported Olive Oil."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), mixtures of oils as disclosed by the analyses had been substituted in whole or in part for "Peanut and Imported Olive Oil," "Peanut and Pure Olive Oil," and "80% Cotton Seed & Peanut Oil 20% Imported Olive Oil."

Misbranding, Section 403 (a), the statements, "Peanut and Pure Olive Oil," "Peanut and Imported Olive Oil," and "80% Cotton Seed & Peanut Oil 20% Imported Olive Oil," borne on the labels of the respective lots, were false and misleading.

**DISPOSITION:** Between October 25 and December 8, 1945, no claimant having appeared, judgments of condemnation were entered and the products were ordered delivered to charitable institutions.