

**ALLEGED SHIPMENT:** On or about July 30, 1945, by Antonio Corrao, from Brooklyn, N. Y.

**PRODUCT:** 54 cans of edible oil at Newark, N. J. The "Figlia Mia Brand" oil consisted essentially of cottonseed oil with some corn oil and contained little or no sunflower oil, peanut oil, or olive oil. The "Pace O Mio Dio Brand" consisted essentially of peanut oil and contained little or no olive oil. Both products were short-volume.

**LABEL, IN PART:** "Net Contents One Gallon Figlia Mia Brand \* \* \* Cottonseed, Sunflower, Corn, Peanut Oils, and Olive Oil. Packed By Universal Salad Oil Co. Brooklyn, N. Y.," or "One Gallon Net Pace O Mio Dio Brand Societa Italiana Commerciale Brooklyn, N. Y. Peanut Oil and Pure Olive Oil."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), cottonseed oil with some corn oil, in the "Figlia Mia Brand," and peanut oil, in the "Pace O Mio Dio Brand," had been substituted in whole or in part for articles of the composition declared on the labels.

Misbranding ("Figlia Mia Brand"), Section 403 (a), the name "Figlia Mia" coupled with a design on the label and the label statements "Guaranteed to Satisfy Italian Taste" and "The oil contained in this can is composed of choice domestic and olive oils" were misleading since they created the impression that the product, or a substantial proportion of it, consisted of olive oil; and, further, the label statement "Composed of Cottonseed, Sunflower, Corn, Peanut Oils, and Olive Oil" was false and misleading.

Further misbranding ("Pace O Mio Dio Brand"), Section 403 (a), the designs of an olive branch with olives and a peanut bush with peanuts on the main panel wherein the olives and the peanuts had approximately equal conspicuousness were misleading in that they implied that peanut oil and olive oil were present in approximately equal proportions, and the label statements, "A Specialty! Guarantees excellent results in the Italian kitchen" and "Grade A Product," were misleading since they implied that the product was olive oil or contained a very substantial proportion of olive oil, which is the traditional oil used in Italian cookery; and, Section 403 (e) (2), (both brands) the products failed to bear labels containing an accurate statement of the quantity of the contents.

**DISPOSITION:** June 4, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered delivered to a charitable institution, conditioned that the labels be destroyed under the supervision of the Food and Drug Administration.

**10679. Adulteration and misbranding of salad oil. U. S. v. 10 and 5 Cartons \* \* \* (and 13 other seizure actions).** (F. D. C. Nos. 18326, 18334 to 18343, incl., 18375, 18376, 18380. Sample Nos. 12066-H to 12074-H, incl., 12503-H, 12504-H, 12508-H to 12511-H, incl., 32971-H.)

**LABELS FILED:** Between November 8 and 15, 1945, Districts of Maine, New Hampshire, and Rhode Island.

**ALLEGED SHIPMENT:** Between the approximate dates of September 7 and October 10, 1945, by the Mercantile Food Products Co., from Boston and Cambridge, Mass.

**PRODUCT:** 268 cases, each containing a number of 1-gallon, 1-quart, or 1-pint bottles, of Saladola Salad Oil, in various quantities, at Portland and Lewiston, Maine, Providence, R. I., and Nashua, N. H.

**LABEL, IN PART:** "Saladola Non-Fattening Salad Oil \* \* \* Especially Refined Mineral Oil—Color Added."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), artificially colored non-nutritive mineral oil had been substituted in whole or in part for "Salad Oil"; and, Section 402 (b) (4), artificial color had been added to mineral oil so as to make it appear to be salad oil, which is better and of greater value than the article.

Misbranding, Section 403 (a), the statement on the bottle label, "Saladola \* \* \* Salad Oil," and the statement on the poster enclosed in each case, "Saladola No Points Salad Oil," were false and misleading as applied to artificially colored mineral oil, a nonnutritive substance, since salad oil is a nutritive oil.

**DISPOSITION:** Between December 28, 1945, and February 14, 1946. No claimant having appeared for any of the lots, judgments of condemnation were entered. The Providence lots were ordered destroyed; the Nashua lot was ordered delivered to a public institution, for use as a mechanical lubricant; and the Lewiston and Portland lots were ordered denatured and sold.

### SPICES, FLAVORS, AND SEASONING MATERIALS

**10680. Adulteration of ground coriander. U. S. v. 1 Barrel \* \* \*. (F. D. C. No. 18100. Sample No. 14433-H.)**

**LIBEL FILED:** November 8, 1945, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about June 1, 1945, by Asmus Brothers, from Detroit, Mich.

**PRODUCT:** 1 205-pound barrel of ground coriander at Cleveland, Ohio.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect fragments and mold.

**DISPOSITION:** December 11, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10681. Adulteration of horseradish. U. S. v. 420 Cases \* \* \*. (F. D. C. No. 18329. Sample Nos. 11731-H, 11732-H.)**

**LIBEL FILED:** November 5, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about March 31 and April 16, 1945, by Bronx Home Food Products, from Bronx, N. Y.

**PRODUCT:** 420 cases, each containing 12 1-fluid-quart jars, of horseradish at Boston, Mass. The product was fermenting.

**LABEL, IN PART:** "Premier Horseradish Made from Selected Horseradish Roots and Seasoned Vinegar \* \* \* Francis H. Leggett & Co. Distributors New York, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** October 29, 1946. The sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**10682. Adulteration of orange flavor base. U. S. v. 21 Barrels \* \* \*. (F. D. C. No. 17946. Sample No. 16678-H.)**

**LIBEL FILED:** October 24, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about September 13, 1945, by Griffin Dairy & Ice Cream Co., from Griffin, Ga. This was a return shipment.

**PRODUCT:** 31 55-gallon barrels of orange flavor base at Chicago, Ill., in possession of the Harrison's Orange Corporation.

**LABEL, IN PART:** "Harrison's Orange Hut Orange Flavor Base."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law, since it is a substance not required in the production of the food, and it could have been avoided by good manufacturing practice.

**DISPOSITION:** November 14, 1945. The sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**10683. Adulteration of paprika. U. S. v. 50 Bags \* \* \*. (F. D. C. No. 18102. Sample No. 14432-H.)**

**LIBEL FILED:** November 8, 1945, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about October 1, 1945, by the Becker-Mayer Seed Co., Inc., from Brooklyn, N. Y.

**PRODUCT:** 50 110-pound bags of paprika at Cleveland, Ohio. Examination showed that the product had been damaged by water and had become moldy.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.