

6456. Adulteration and misbranding of olive oil. U. S. * * * v. 4 Cases of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8867. I. S. No. 2681-p. S. No. E-995.)

On March 22, 1918, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases, each containing 4 dozen 1-quart cans of olive oil, consigned by Garra & Trusso, New York, N. Y., remaining unsold in the original unbroken packages at Providence, R. I., alleging that the article had been shipped on or about January 26, 1918, and transported from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Olive Oil," was false and misleading and deceived and misled the purchaser in that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil; and for the further reason that it purported to be a foreign product, whereas, in fact, it was a product of domestic manufacture packed in the United States.

On April 17, 1918, A. S. Johnson, Providence, R. I., claimant, having filed a claim and answer, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a satisfactory bond, in conformity with section 10 of the act.

J. R. RIGGS, *Acting Secretary of Agriculture.*