

mislead purchasers into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of crude fiber, whereas, in fact and in truth, it did contain less than 41 per cent of protein and more than 10 per cent of crude fiber.

On January 8, 1920, a plea of guilty was entered on behalf of the defendant companies, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7632. Adulteration of olive oil. U. S. * * * v. Lawrence Mercurio (Mercurio & Co.). Plea of guilty to count 1 of the information. Fine, \$25 and costs. Remaining counts of information dismissed. (F. & D. No. 9661. I. S. No. 10009-p.)

On May 16, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lawrence Mercurio, trading as Mercurio & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 23, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "Extra Superfine Lucca Olive Oil (Italy) Warranted Pure," which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of cottonseed oil.

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

On November 13, 1919, the defendant entered a plea of guilty to the first count of the information, and the court imposed a fine of \$25 and costs. The remaining counts of the information were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7633. Adulteration of gelatin. U. S. * * * v. Consumers Glue Co., a corporation. Plea of guilty to count 1 of the information. Fine, \$50 and costs. Remaining counts of information dismissed. (F. & D. No. 9667. I. S. No. 6804-p.)

On October 9, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Consumers Glue Co., a corporation, St. Louis, Mo., alleging shipment by said company, on or about December 12, 1917, from the State of Missouri into the State of Georgia, of a quantity of an article, invoiced as gelatin, which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

Copper (Cu) (parts per million)-----	20
Zinc (Zn) (parts per million)-----	409
Arsenic (As): Trace.	
Odor: Glue-like.	

Appearance of solution: Dark cloudy.

Product consists partly of glue and contains excessive zinc.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, glue, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in part for gelatin, which the article purported to be. Adulteration was alleged for

the further reason that the article contained an added deleterious ingredient, to wit, zinc, which might render it injurious to health.

On November 17, 1919, the defendant company entered a plea of guilty to the first count of the information, and the court imposed a fine of \$50 and costs. The remaining counts of the information were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7634. Adulteration and misbranding of olive oil. U. S. * * * v. Anthony J. Musco. Plea of guilty. Fine, \$25. (F. & D. No. 10766. I. S. Nos. 15277-r, 15278-r, 15279-r, 15280-r, 15281-r, 15462-r)

On January 3, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anthony J. Musco, New York, N. Y., alleging shipment on December 17, 1918, by said defendant, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Maryland, of quantities of olive oil, so called, variously labeled in part, "San Giuseppe Brand Salad Oil," "Monte Carlo Brand Fine Table Oil," and "Finest Quality Table Oil Termini Imerese Type," the first named of which was misbranded, and the others adulterated and misbranded.

Examination of samples of the article made in the Bureau of Chemistry of this department showed the following results: The San Giuseppi brand consisted mainly of peanut oil, corn oil, and cottonseed oil and was short volume; the Monte Carlo brand consisted mainly of peanut oil, corn oil, and a small amount of cottonseed oil and was short volume; the quart cans of the Termini Imerese type consisted of cottonseed oil and the half-gallon and the gallon cans of peanut oil and cottonseed oil, and the cans of the different sizes were short volume.

Misbranding of the San Giuseppe brand salad oil was alleged in the information for the reason that the statements "Net Contents Half Gallon," "Salad Oil," and "Pure Olive Oil," appearing in conspicuous type on the label, and the statement "Vegetable Oil," appearing thereon in small and inconspicuous type, were false and misleading in that they represented to purchasers that each can contained not less than $\frac{1}{2}$ gallon net of the article, and that said article was olive oil, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the said can contained not less than $\frac{1}{2}$ gallon net of the article, and that said article was olive oil, whereas, in fact and in truth, each can contained less than $\frac{1}{2}$ gallon thereof, and the article was not olive oil.

Adulteration of the other brands of the product was alleged for the reason that cottonseed oil or a mixture of corn, peanut, and cottonseed oils or a mixture of peanut oil and cottonseed oil had been substituted in part for olive oil, which the article purported to be.

Misbranding of the Monte Carlo brand fine table oil was alleged in substance for the reason that the following statements appearing on the label, to wit, "Monte Carlo Brand," together with the design and device of a Roman scene, olive branches and wreath, and map of Italy, and "Compound of * * * Peanut Oil and Olive Oil," and "Highest Grade of Oil Combining all the Physic and Nutritious Characteristics of Pure Olive Oil," and "Net Contents Half Gallon" or "Net Contents Quarter Gallon," as the case might be, were false and misleading in that they represented to purchasers of the article that it was olive oil and was a foreign product, and that each can contained not less than $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it