

regarding the article, which were false and misleading, that is to say, the following words, "Olio Sopraffino * * * raccomandata specialmente per insalata * * * e garentito migliore di tutti," and also bore the design of the Italian flag and sprays of olive branches, the above statement not being corrected by the statement in inconspicuous type, "Cottonseed salad oil flavored with pure olive oil, a compound," which statements, designs, and devices were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not; for the further reason that said product purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture packed in the United States; for the further reason that the labels of the article bore the words, "One Gallon" and "One-Half Gallon," respectively, whereas there was an appreciable shortage in volume in each can; for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count; and for the further reason that said article was an imitation of, and was offered for sale under the distinctive name of another article, to wit, olive oil.

On October 20, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

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

7867. Adulteration of evaporated apples. U. S. * * * v. 25 Boxes of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9091. I. S. No. 16561-p. S. No. W-228.)

On June 26, 1918, the United States attorney for the District of Colorado, 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 25 boxes of evaporated apples, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about April 3, 1918, and transported from the State of New York into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The boxes were labeled, in part, "25 lbs. Net Fancy Whole Evaporated Apples Packed by Hartman & Co., Rochester, N. Y., Sulphured, The Morey Mercantile Company, Denver, Colo."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed vegetable substance and was moldy, the surface being practically covered by green-gray mold and the product having an offensive odor.

On August 26, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

7868. Adulteration and misbranding of vinegar. U. S. * * * v. Ozark Cider & Vinegar Co., a Corporation (O. L. Gregory Co.). Plea of guilty. Fine, \$75 and costs. (F. & D. No. 9234. I. S. Nos. 8116-p, 8952-p.)

On November 22, 1918, the United States attorney for the Western District of Arkansas, 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 Ozark Cider & Vinegar Co., a corporation, Siloam Springs, Ark., alleging