

# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

## SERVICE AND REGULATORY ANNOUNCEMENTS.

### SUPPLEMENT.

N. J. 8451-8500.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 28, 1921.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**8451. Misbranding of table oil. U. S. \* \* \* v. 22½ Gallons of Table Oil and U. S. \* \* \* v. 58½ Gallons of Table Oil. Default decree of condemnation and forfeiture. Product ordered sold. (E. & D. Nos. 9457, 9458. I. S. Nos. 13726-r, 13727-r. S. Nos. E-1158, E-1159.)**

On November 19, 1918, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of a certain article, labeled in part "Table Oil La Migliore Brand," at Scranton, Pa., and Wilkes-Barre, Pa., alleging that the article had been shipped on or about October 11, 1918, and on or about June 21, 1918, by Crisafulli Bros., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article in each shipment was alleged in the libels in that the article was food in package form, and the contents were not plainly and conspicuously marked on the outside of the package containing the food. Further misbranding was alleged in that the labels on the cans containing the article, respectively, "Quarter Gallon" and "One Half Gallon," represented that the contents of the cans were, respectively,  $\frac{1}{4}$  gallon and  $\frac{1}{2}$  gallon, whereas, in truth and in fact, the contents of the cans, respectively, were less than  $\frac{1}{4}$  gallon and less than  $\frac{1}{2}$  gallon. Further misbranding was alleged in that the statements on the labels on the cans, "First Quality Table Oil, La Migliore Brand Insuperabile Cotton" (or "Corn") "Salad Oil Compound with Extra Fine Olive Oil," together with the representation of an olive tree, were false and misleading and designed to deceive and mislead the purchaser by representing the said oil to be olive oil, whereas, in truth and in fact, the said oil was not olive oil, but consisted almost entirely of cotton oil in one shipment and corn oil in the other. Further misbranding was alleged in that cotton oil in one ship-

ment and corn oil in the other had been substituted almost wholly for olive oil, which the articles purported to be.

On January 19, 1920, no claimant having appeared, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be sold by the United States marshal.

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

**8452. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 31 Gallons of a Product Purporting to be Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 10232. I. S. Nos. 13585-r, 13586-r. S. No. E-1376.)**

On May 12, 1919, the United States attorney for the Middle District of Pennsylvania, 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 a certain quantity of an article purporting to be olive oil, at Scranton, Pa., alleging that the article had been shipped on or about April 24, 1919, by N. P. Economou & Theodos, New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cottonseed oil flavored with a small quantity of olive oil and that the quantity of the contents of the cans was less than 1 gallon and  $\frac{1}{2}$  gallon, respectively, as labeled.

Adulteration of the article was alleged in the libel in that the article consisted essentially of cottonseed oil which had been substituted wholly or in part for the article which the labels on the package purported the contents thereof to be, to wit, olive oil.

Misbranding of the article was alleged in that the statements on the labels on the cans, regarding the contents of the cans, "Finest Quality Table Oil, Insuperabile Termini Imerse," together with the pictorial designs and devices thereof, were false and misleading and deceived and misled the purchaser in that it purported to be a foreign product, when it was not a foreign product. Further misbranding was alleged in that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Further misbranding was alleged in substance in that the products were articles of food in package form, and the quantity of the contents in each case was not declared, that is to say, was not correctly stated.

On January 1, 1920, no claimant having appeared, judgment of condemnation and forfeiture was entered, and the product was ordered sold by the United States marshal.

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

**8453. Adulteration and misbranding of acetanilid and salol, acetphenetidin and salol, codeine sulphate, and morphine sulphate tablets. U. S. \* \* \* v. Bowman, Mell & Co., a Corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 10249. I. S. Nos. 3036-p, 3037-p, 3040-p, 3041-p.)**

On October 21, 1919, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bowman, Mell & Co., a corporation, Harrisburg, Pa., alleging shipment by said company, on or about May 15, 1918, in violation of the Food and Drugs Act, from the State of Pennsylvania into the State of Delaware, of quantities of drugs, labeled in part "Tablets Acetanilide and Salol Acetanilide 2 $\frac{1}{2}$  grs. Salol 2 $\frac{1}{2}$  grs.," "Compressed Tablets Acetphenetidin and Salol Acetphenetidin