sua estrema bonta e raccomandato anche per uso medicinale Insuperabile * * * Lido Prodotto Importato [design of a Venetian scene]"; (Three Counts brand) "Olive Oil Virgin Extra 1 Packed in Italy * * * Olio d'Oliva Vergine Extra 1 Impaccato in Italia; * * * This oil is guaranteed pure under chemical analysis, and is recommended for medicinal as well as for table use. Packed in Italy * * * Italy * * * Quest' Olio e garantito puro all'analisi chimica. Per la sua estrema bonta e raccomandato anche per uso medicinale. Impaccato in Italia * * * Italy * * * Packed in Italy [design of olive leaves and olives]"; (Conte Verde brand) "Pure Olive Oil Packed in Italy * * * Olio di Oliva Sopraffino Garantito puro da qualsiasi analisi chimica * * * Non Plus Ultra * * * Pure Olive Oil. We guarantee this oil to be absolutely pure under chemical analysis and of the finest quality. Recommended for medicinal purposes * * * Italy * * * Non Plus Ultra * * * Olio puro di Oliva garantito sotto qualunque analisi chimica, e di qualita finissima Raccomandato per uso Medicinale * * * Italia * * * Packed in Italy [design of olive branches and olives, Italian flags, Italian coat of arms, and olive branches]." It was alleged to be misbranded further in that it was a mixture composed in part of tea-seed oil and was offered for sale and sold under the distinctive name of another article, olive oil.

On September 23, 1937, the defendant entered a plea of guilty and on December 2, 1937, the court imposed a fine of $250.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27834. Adulteration of poultry. U. S. v. Litchfield Produce Co. Plea of guilty. Fine, $100. (F. & D. No. 38683. Sample Nos. 26163–C, 26164–C.)

Samples of poultry taken from this shipment were found to be decomposed or diseased, or otherwise unfit for food.

On September 28, 1937, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Litchfield Produce Co., Litchfield, Minn., alleging shipment by said company on or about December 20, 1936, from the State of Minnesota into the State of Illinois of a quantity of poultry that was adulterated. The article was labeled: "Common Poultry."

It was alleged to be adulterated in that it consisted in whole and in part of a decomposed and putrid animal substance.

On September 28, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27835. Misbranding of canned tomatoes. U. S. v. 1,973 Cases of Canned Tomatoes. Decree of condemnation. Product released under bond for relabeling. (F. & D. No. 38870. Sample No. 5347–C.)

This product fell below the standard for canned tomatoes established by this Department because it did not consist of whole or large pieces but did consist of tomatoes with puree from trimmings, and it was not labeled to indicate that it was substandard.

On December 23, 1936, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,973 cases of canned tomatoes at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about October 10, 1936, by the Fettig Canning Corporation from Elwood, Ind., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "May-Flower Brand Tomatoes * * * Distributed by Marshall Canning Co. Marshalltown, Iowa."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, since it did not consist of whole or large pieces but did consist of small pieces and tomatoes with puree from trimmings, and its package or label did not bear a plain and conspicuous statement prescribed by the Secretary indicating that it fell below such standard.

On March 18, 1937, the Fettig Canning Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*