

27654. Adulteration and misbranding of olive oil. U. S. v. 49 Cases of Alleged Olive Oil. Default decree of condemnation and destruction. (F. & D. No. 37437. Sample No. 65657-B.)

This product was adulterated with tea-seed oil.

On March 25, 1936, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 cases, each containing 24 jugs of alleged olive oil, at Worcester, Mass.

On July 20, 1936, upon motion by the United States attorney, the libel was amended. It was alleged in the libel as amended that the article had been shipped in interstate commerce on or about July 17 and October 12, 1935, by the De Luca Olive Oil Co., Inc., from Brooklyn, N. Y., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: (Jug) "Pure Imported Olive Oil * * * Distributed by Nation-Wide Service Grocers."

It was alleged to be adulterated in that tea-seed oil had been mixed and packed therewith so as to reduce or lower its quality and in that tea-seed oil had been substituted in whole or in part for olive oil, which it purported to be.

The article was alleged to be misbranded in that the following statement borne on the label was false and misleading and tended to deceive and mislead the purchaser when applied to a product containing tea-seed oil, "Pure Imported Olive Oil." The article was alleged to be misbranded further in that it was offered for sale under the distinctive name of another article, namely, "Olive Oil."

On September 14, 1936, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27655. Adulteration of maple sugar. U. S. v. 15 Bags of Maple Sugar. Product released under bond conditioned that all injurious ingredients be removed. (F. & D. No. 37847. Sample No. 63501-B.)

This product contained excessive lead.

On July 3, 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 15 bags of maple sugar at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about June 22, 1936, by the American Maple Products Corporation from St. Albans, Vt., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "From American Maple Products Corpn. St. Albans Vermont."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On July 9, 1937, the Jersey Ice Cream Co., Minneapolis, Minn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released to the claimant under bond conditioned that it be deleaded.

M. L. WILSON, *Acting Secretary of Agriculture.*

27656. Adulteration of butter. U. S. v. Colfax Cooperative Creamery Co. Plea of guilty. Fine, \$50. (F. & D. No. 38039. Sample No. 63377-B.)

Samples of this product were found to contain broken glass.

On October 21, 1936, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Colfax Cooperative Creamery Co., a corporation, Colfax, Wis., alleging shipment by said company in violation of the Food and Drugs Act on or about May 1 and May 15, 1936, from the State of Wisconsin into the State of Massachusetts of quantities of butter that was adulterated.

The article was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, namely, broken glass, which might have rendered it injurious to health.

On February 11, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

M. L. WILSON, *Acting Secretary of Agriculture.*