

The article was alleged to be misbranded in that the statements "Contents One Pint" and "Contents 1 Quart", borne on the bottle labels, were false and misleading and in that the article was labeled so as to deceive and mislead the purchaser since they represented that the bottles contained 1 pint and 1 quart, respectively, of the article; whereas the bottles contained less than 1 pint and 1 quart, respectively, of the article. It was alleged to be misbranded further in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On March 23, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$1,500.

W. R. GREGG, *Acting Secretary of Agriculture.*

27028. Misbranding of salad oil. U. S. v. Economu & Ritsos, Inc., Theodore Economu and George Economu. Pleas of guilty. Total fines, \$1,500; \$1,000 remitted. (F. & D. no. 35889. Sample nos. 25949-B, 44011-B, 44014-B.)

This case involved a product that consisted almost entirely of oils other than olive oil and which was labeled to convey the impression that it was olive oil.

On July 3, 1936, 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 an information against Economu & Ritsos, Inc., New York, N. Y., and Theodore Economu and George Economu, officers of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act, on or about September 11, 1934, from the State of New York into the State of Massachusetts; and on or about December 4 and December 9, 1935, from the State of New York into the State of Rhode Island of quantities of salad oil that was misbranded. A portion of the article was labeled: "Prodotto Garantito Olio Finissimo La Gustosa Brand." The remainder was labeled: "Italian Product Extra Fine Oil Imported La Gusta Brand Lucca Italy."

The article was alleged to be misbranded in that the statements, "Olio Finissimo. The Oil Contained In This Can Is * * * Guaranteed To Be Of The Finest Quality, Extra Fine Oil, L'Olio Che Questa Latta Contiene E Di Qualita Extra Fine", with respect to the La Gustosa brand, and "Italian Product, Extra Fine Oil, Imported, Lucca, Italy, The Oil Contained In This Can Is * * * Guaranteed To Be Of The Finest Quality, Imported From Italy", with respect to the La Gusta brand, together with the designs of olive branches bearing olives, borne on the cans, were false and misleading, and in that said statements and designs were borne on the cans so as to deceive and mislead the purchaser, since they represented that the article was olive oil and that the La Gusta brand had been imported from Italy, whereas the La Gustosa brand was composed almost wholly of oil other than olive oil and contained very little, if any, olive oil, and the La Gusta brand was a domestic product consisting almost entirely of cottonseed oil and contained very little, if any, olive oil. Misbranding was alleged with respect to the La Gusta brand for the further reason that it was an imitation of another article, namely, olive oil, and in that it was artificially flavored and colored with undeclared flavor and color.

On January 8, 1937, pleas of guilty were entered on behalf of the defendants and on January 11, 1937, the court imposed the following fines: George Economu, \$150 with \$100 remitted; Economu & Ritsos, Inc., \$450 with \$300 remitted; Theodore Economu, \$900 with \$600 remitted.

W. R. GREGG, *Acting Secretary of Agriculture.*

27029. Misbranding of dairy feed. U. S. v. The Chapman-Doake Co. Plea of guilty. Fine, \$25. (F. & D. no. 35964. Sample no. 29776-B.)

This product contained less crude protein and less crude fat than was declared on the tag attached to the sack.

On August 31, 1936, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Chapman-Doake Co., a corporation, Decatur, Ill., alleging shipment by said company in violation of the Food and Drugs Act, on or about April 6, 1935, from the State of Illinois into the State of Indiana of a quantity of dairy feed that was misbranded. It was labeled in part: (Tag) "Special Milk Producer Dairy Feed Registered by The Chap-