OILS AND FATS

18838. Misbranding of oil. U. S. v. John Minervini. Plea of guilty. Fine, $1,000. (F. D. C. No. 30056. Sample Nos. 57230–K, 74692–K.)

INFORMATION FILED: January 17, 1951, District of New Jersey, against John Minervini, Hoboken, N. J.

ALLEGED SHIPMENT: On or about August 29, 1949, and January 30, 1950, from the State of New Jersey into the States of New York and Connecticut.

LABEL, IN PART: (Cans) "Fabiola Brand * * * 90% Peanut Oil 10% Pure Imported Olive Oil Packed by Fabiola Food Products Hoboken, N. J."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement "90% Peanut Oil" borne on the can labels was false and misleading since the product contained little or no peanut oil; and, Section 403 (k), the product in the shipment of August 29, 1949, contained artificial flavor and failed to bear labeling stating that fact.

DISPOSITION: A plea of not guilty having been entered, the case came on for trial on January 23, 1952. The trial was interrupted at the conclusion of the testimony of the Government's first witness, and the defendant changed his plea to guilty. The court imposed a fine of $500 on each of the 2 counts of the information.

18840. Adulteration and misbranding of oil. U. S. v. 39 Cans * * *. (F. D. C. No. 32301. Sample No. 15366–L.)

LIBEL FILED: December 26, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 6, 1951, by the Chicago Macaroni Co., from Chicago, Ill.

PRODUCT: 39 1-gallon cans of oil at Kansas City, Mo.

LABEL, IN PART: "Italy Brand Table Oil Blend An Excellent Composition of Eighty Per Cent of Corn Oil and Twenty Per Cent of Pure Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been omitted from the product; and, Section 402 (b) (2) oil in the nature of corn oil containing little or no olive oil had been substituted for a blend of eighty percent corn oil and twenty percent pure olive oil.

Misbranding, Section 403 (a), the label designation "Twenty Per Cent of Pure Olive Oil" was false and misleading.

DISPOSITION: April 3, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

18841. Adulteration and misbranding of oil. U. S. v. 20 Cases * * *. (F. D. C. No. 32621. Sample No. 48213–L.)

LIBEL FILED: January 24, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about December 6, 1951, by the Chicago Macaroni Co., from Chicago, Ill.

PRODUCT: 20 cases, each containing 6 1-gallon cans, of oil at St. Paul, Minn.

LABEL, IN PART: "One Gallon Italy Brand Table Oil Blend An Excellent Composition of Eighty Per Cent of Corn Oil and Twenty Per Cent of Imported Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), cottonseed oil with little or no olive oil had been substituted in whole or in part for a blend of eighty percent corn oil and twenty percent imported olive oil.