DISPOSITION: 6–25–58. Default—delivered to a charitable institution for consumption, and not for sale.

24992. Table and cooking oil. (F.D.C. No. 41664. S. Nos. 21–108 P, 21–110 P.)

QUANTITY: 9 cases, 6 cans each, at Kansas City, Mo.

SHIPPED: 11–5–57, from Chicago, Ill., by Columbus Packing Co.

LABEL IN PART: (Can) "Net Contents One Gallon Columbus Brand A Compound Oil * * * Blend of 90% Corn Oil and 10% Virgin Olive Oil."

RESULTS OF INVESTIGATION: Examination showed that the article was a mixture of olive oil and cottonseed oil and was short volume, averaging a 2.23 percent shortage.

LIBELED: 4–16–58, W. Dist. Mo.

CHARGE: 403(a)—when shipped, the label statement, namely, "Blend of 90% Corn Oil and 10% Virgin Olive Oil" was false and misleading; 403(e)(2)—the article failed to bear a label containing an accurate statement of the quantity of contents; and 403(i)(2)—the label on the article failed to bear the common or usual name of each ingredient.

DISPOSITION: 6–17–58. Default—delivered to a charitable institution for its use, and not for sale.

24993. Table and cooking oil. (F.D.C. No. 41531. S. No. 7–211 P.)

QUANTITY: 239 1-gal. cans, at South Boston, Mass., in possession of Roma Packing Co., Inc.

SHIPPED: Corn oil was shipped prior to 11–5–57, from East Rochester, N.Y.

LABEL IN PART: (Can) "Casa Mia Brand 80% * * * Vegetable Oil 20% Pure Olive Oil."

RESULTS OF INVESTIGATION: Examination showed that the article was a mixture of cottonseed and corn oils with little or no olive oil, and that the corn oil, which was shipped as described above, was used by the Roma Packing Co., Inc. in the manufacture of the article.

LIBELED: 4–23–58, Dist. Mass.

CHARGE: 402(b)(1)—the valuable constituent, olive oil, had been in part omitted from the article while held for sale; 402(b)(2)—cottonseed and corn oils had been substituted in whole or in part for olive oil; 403(a)—the label statement "20% Pure Olive Oil" was false and misleading; and 403(i)(2)—the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient.

DISPOSITION: 5–16–58. Consent—claimed by Roma Packing Co., Inc. and relabeled.

SPICES, FLAVORS, AND SEASONING MATERIALS*

24994. Sesame seed and unshelled peanuts (3 seizure actions). (F.D.C. No. 41550. S. Nos. 21–298/9 P, 21–301 P.)

QUANTITY: 2 100-lb. bags of sesame seed and 48 115-lb. bags of unshelled peanuts at Kansas City, Mo., in possession of S. W. Noggle Co.

SHIPPED: Sesame seed, prior to 2–17–58, from outside the United States; and unshelled peanuts, 11–15–57 and 1–17–58, from Franklin, Va., and Brady, Tex.

LIBELED: 5–12–58, W. Dist. Mo.

*See also No. 24951.