DISPOSITION: 2–11–58. Default—destruction.

25738. Olive oil. (F.D.C. No. 42815. S. Nos. 30–013 P, 31–639 P.)

QUANTITY: 3 55-gal. drums at Ozone Park, N.Y.

SHIPPED: 10–16–58, from Italy, by Raffineria Bruzia.

LIBELED: 2–5–59, E. Dist. N.Y.

CHARGE: 402(b)(2)—when shipped, tea seed oil had been substituted in whole or in part for olive oil.

DISPOSITION: 3–25–59. Default—destruction.

25739. Table and cooking oil. (F.D.C. No. 42923. S. No. 47–389 P.)

QUANTITY: 14 cases, 6 1-gal. cans each, at Medford, Mass.

SHIPPED: The soya oil ingredient of the article was shipped on 2–4–59, from Decatur, Ill., and the olive oil ingredient of the article was shipped prior to 3–4–59, from outside the United States.

LABEL IN PART: (Can) "La Spagnola Brand Oil * * * 90% * * * Vegetable Oil and 10% Virgin Olive Oil Packed by Catania–Spagna Corporation, Somerville * * * Mass."

RESULTS OF INVESTIGATION: Examination showed that the article was essentially soya oil with little or no olive oil present. The article was manufactured from soya oil and olive oil shipped as described above.

LIBELED: 4–6–59, Dist. Mass.

CHARGE: 402(b)(2)—while held for sale, soya bean oil had been substituted in whole or in part for a blend of vegetable oil and olive oil; and 403(a)—the label statement "90% * * * Vegetable Oil and 10% * * * Olive Oil" was false and misleading.

DISPOSITION: 6–15–59. Default—destruction.

25740. Table and cooking oil. (F.D.C. No. 43020. S. No. 10–295 P.)

QUANTITY: 37 cases, 6 1-gal. cans each, at McKees Rocks, Pa.

SHIPPED: 1–23–59, from Decatur, Ill.

LABEL IN PART: (Can) "Net Contents One Gallon Milano Brand Refined Corn Oil * * * Deluxe Products, McKees Rocks, Pa."

RESULTS OF INVESTIGATION: The article was repacked into cans from bulk stock and labeled by the dealer. Examination showed that the article contained less than one gallon.

LIBELED: 5–18–59, W. Dist. Pa.

CHARGE: 403(e)(2)—the article failed to bear a label containing an accurate statement of the quantity of contents while held for sale.

DISPOSITION: 6–24–59. Consent—claimed by Joseph Benestelli, Allegheny County, Pa. The cans of the article were refilled so that they contained the amount declared on the label.

SPICES, FLAVORS, AND SEASONING MATERIALS

25741. Caraway seed. (F.D.C. No. 42550. S. No. 8–228 P.)

QUANTITY: 3 109-lb bags at Stamford, Conn., in possession of Karp Bros. Bakery.

SHIPPED: 4–1–58, from New York, N.Y.