

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 360, FOOD AND DRUGS ACT.

MISBRANDING OF OLIVE OIL.

On or about February 26, 1909, George Lekas and George Drivas, doing business under the firm name of Lekas & Drivas, of New York, N. Y., shipped from the State of New York to the State of Massachusetts a consignment of a food product labeled: "Prodotti di Olii Olio Soprafino O. S. Brand Olive Oil and Salad Oil." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report thereon that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded Lekas & Drivas and the dealer from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence on which to base a prosecution. In due course a criminal information was filed in the Circuit Court of the United States for the Southern District of New York, charging the above shipment and alleging that the product was misbranded, in that the aforesaid label on the can was false and misleading, because the statement "Prodotti di Olii," together with the picture of an olive branch on the can, would indicate that the product was pure olive oil, whereas in truth and in fact the product contained a considerable quantity of cottonseed oil.

On April 5, 1910, there appeared Mr. George Drivas, of the firm of Lekas & Drivas, and entered a plea of guilty and the court imposed a fine of \$100.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 19, 1910.*

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