

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 417, FOOD AND DRUGS ACT.

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### ADULTERATION OF OLIVE OIL.

On or about April 16, 1908, Bertin & Lepori, a corporation, San Francisco, Cal., shipped from said State of California to the Territory of New Mexico a quantity of alleged olive oil labeled "Fine Olive Oil, Diano Marina, Product of Italy Registered Mark Gallo Quality and quantity guaranteed, B. P. G., Diano Marina," and on or about April 28, 1908, made a similar shipment from said State of California to the State of Washington. Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, said Bertin & Lepori and the parties from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the shipments were 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 an indictment was brought in the District Court of the United States for the Northern District of California by the grand jury of said district, charging the above two shipments, and that the product in question was adulterated within the meaning of said act, in that it contained a large quantity, to-wit, about 45 per cent, of cotton-seed oil, which reduced and lowered and injuriously affected the quality and strength of the alleged olive oil. On November 23, 1909, the defendant was arraigned and entered a plea of guilty to the above indictment, and the next day the court imposed a fine of \$100 in the case of each of said shipments.

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 23, 1910.*

