

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 710, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF OLIVE OIL.

On or about September 14, 1909, George P. Calogera, New York City, shipped from the State of New York to the State of Georgia three cases of olive oil, containing twenty-four half-gallon cans and ninety-six quarter-gallon cans, labeled "Extra Superfine Olive Oil. Mannis Olive Oil. Imported and packed by G. P. Calogera, N. Y., U. S. A." Analysis of samples of this product made by the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report thereon that the said shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of Georgia.

On October 25, 1909, a libel was filed in the District Court of the United States for the said district against the three cases of olive oil, charging the above shipment and alleging the product so shipped to be adulterated in that cottonseed oil had been mixed with said olive oil so as to reduce, lower, and injuriously affect its quality; and alleging the product to be misbranded in that it was labeled as above set forth, said label being such as to mislead and deceive the purchaser, as it indicated the product to be olive oil, when in truth and in fact it was a mixture of olive oil and cottonseed oil; and praying seizure, condemnation, and forfeiture of the product.

On April 9, 1910, the case came on for hearing, and no claim to the goods seized having been made, and no answers to the allegations in said libel having been filed, it was ordered and adjudged by the court that the said libel and the allegations contained therein be taken pro confesso, and the said one hundred and twenty cans of olive oil described in said libel be condemned as being adulterated by having cot-

tonseed oil substituted in part for olive oil and having been shipped in interstate commerce in violation of the act of June 30, 1906, and that the said one hundred and twenty cans of oil be declared forfeited to the United States, and further ordering that said oil be sold at public auction by the marshal of said district, which order was duly executed.

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., *November 15, 1910.*

