

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1713.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### MISBRANDING OF SALAD OIL.

On February 27, 1911, the United States Attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the John Vittucci Co., a corporation, Seattle, Wash., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 21, 1909, from the State of Washington into the State of Idaho of a quantity of salad oil which was misbranded. The product was labeled: "Durand Brand Salad Oil. Put up by John Vittucci Co. Importers Seattle-Vancouver".

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 15.6° C./15.6° C., 0.9234; index of refraction at 25° C., 1.4728; iodine number, 109.0; Halphen test, positive; peanut oil test, negative; sesame oil test, negative. The case was reported to the Attorney General for prosecution upon charges of adulteration and misbranding, but misbranding only was charged in the information filed in the case. Misbranding was alleged in the information for the reason that the product was labeled and branded so as to deceive and mislead the purchaser, the label, as set forth above, conveying the impression that the product was olive oil, whereas, in truth and in fact, it was cottonseed oil.

On March 20, 1911, the defendant was arraigned and entered a plea of not guilty. On May 14, 1912, defendant withdrew the plea of not guilty and entered a plea of guilty and the court imposed a fine of \$25 and costs, taxed at \$23.16.

JAMES WILSON,  
*Secretary of Agriculture.*

