

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2102.

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

ADULTERATION AND MISBRANDING OF SO-CALLED OLIVE OIL.

On June 11, 1912, the United States Attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of two cases of so-called olive oil, remaining unsold and in the original unbroken packages at Providence, R. I., alleging that the product had been shipped on or about March 28, 1912, from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Tripoli Brand Olio Puro Italiano Di Oliva."

Adulteration of the product was alleged in the libel for the reason that it was labeled "Tripoli Brand Olio Puro Italiano Di Oliva," and purported by said label to be pure olive oil, but a certain substance, to wit, cottonseed oil, had been substituted in part in said oil for pure olive oil. Misbranding was alleged for the reason that the product bore a label and designation as set forth above, to wit, that said product purported to be pure olive oil, but in truth and in fact it was not pure olive oil, but was composed in the proportion, approximately, of 50 per cent cottonseed oil, and 50 per cent olive oil or other oils. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead a purchaser in that the product bore the statement that it was pure olive oil, which statement was false and misleading in the particulars aforesaid.

Thereafter, during the month of August, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, the court finding the product misbranded. It was further ordered that the product should be relabeled and sold by the United States marshal, or if it could not be sold, that it be destroyed by said marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 12, 1912.*