

## United States Department of Agriculture,

### OFFICE OF THE SECRETARY.

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#### NOTICE OF JUDGMENT NO. 247, FOOD AND DRUGS ACT.

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##### ADULTERATION AND MISBRANDING OF OLIVE OIL.

On or about June 12, 1909, Maria Cristani, trading under the firm name of Cristani Importing Company, shipped from New York City to Boston, Mass., an article of food contained in a can labeled: "Olio Puro D'Oliva Garantito Torelli Brand Marca Registrata Pure Olive Oil," and on or about May 19, 1909, shipped from New York City to New London, Conn., a certain article of food contained in a can labeled: "Olio D'Oliva Sopraffino Lucca Brand Olive Oil," and on or about June 5, 1909, shipped from New York City to Boston, Mass., a certain article of food contained in a can labeled: "Olio D'Oliva Sopraffino Lucca Brand Olive Oil." Samples from the above shipments were procured and analyzed in the Bureau of Chemistry, United States Department of Agriculture. As the findings of the analyst and reports made indicated that the above articles were adulterated and misbranded within the meaning of the Food and Drugs Act, the said Maria Cristani and the parties from whom the samples were procured were afforded opportunities for hearings, and as it appeared after the hearings held that the above shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, together with statements of the evidence upon which to base prosecutions.

In due course, a criminal information was filed against the said Maria Cristani in the United States Circuit Court for the Southern District of New York, charging that the oil contained in the shipment first hereinbefore mentioned was adulterated in that a large amount of cottonseed oil was substituted in part for olive oil; that said oil was misbranded in that the label was false and misleading because it represented that the article was olive oil, whereas, in fact, it consisted

for the most part of cottonseed oil; and further charging that the oil contained in the second above-mentioned shipment was adulterated in that cottonseed oil was substituted in part for olive oil, and because it was colored with a dye in a manner whereby its inferiority was concealed; and charging further that the oil contained in this shipment was misbranded because the label on the can in which it was shipped bore the following statement regarding its contents, to wit: "Olio D'Oliva Sopraffino Lucca Brand Olive Oil," which statement was false and misleading because it indicated that the oil contained in said can was olive oil, whereas, in truth and in fact, it was not olive oil but a mixture of olive oil and cottonseed oil, artificially colored; and because the statement in the Italian language indicated that the oil was a foreign product, whereas, in truth and in fact, it was not a foreign product. Said information charged further that the oil shipped in the third above-mentioned shipment was adulterated in that cottonseed oil was substituted in part for olive oil, and because it was colored with a dye in a manner whereby its inferiority was concealed; and further, that said oil was misbranded in that the label was false and misleading because it indicated that said product consisted of olive oil, when, in truth and in fact, it consisted of a mixture of olive oil and cottonseed oil, artificially colored, and because said label contained a statement in the Italian language which indicated that said article was a foreign product, when, in truth and in fact, it was not so.

On January 5, 1910, the defendant pleaded guilty to the information and was fined \$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., *March 1, 1910.*