

Issued June 8, 1910.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 348, FOOD AND DRUGS ACT.

MISBRANDING OF OLIVE OIL.

On or about August 7, 1908, the Lange Brothers, a corporation, of New York, N. Y., shipped from the State of New York to the State of Massachusetts a consignment of a product labeled "Prodotti Italiani Olio di Oliva Sopraffino F. Ferrucci Lucca Toscana Italy. Lange Bros., New York, Soli Agenti per Gli Stati Uniti di America." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report made that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the Lange Brothers, and the dealer from whom the samples were procured, opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the Circuit Court of the United States for the Southern District of New York charging the above shipment and alleging that the product was misbranded, in that the statement on the label "Olio D'Oliva" was false and misleading because it would indicate that the product was pure olive oil, whereas in truth and in fact the product contained a considerable quantity of cottonseed oil.

On April 13, 1910, the defendant entered a plea of guilty and the court imposed a fine of \$50.

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 17, 1910.*

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