

Issued March 8, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2046.

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

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### ADULTERATION AND MISBRANDING OF SO-CALLED OLIVE OIL.

On April 4, 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 23 1-gallon cans of so-called olive oil remaining unsold in the original unbroken packages and in possession of Luigi Derosa, Providence, R. I., alleging that the product had been shipped 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; Tripoli Hedames Tupolitania Gadid Ghat Murzuk, Gatron Olio Puro Italiano Di Oliva."

Adulteration of the product was alleged in the libel for the reason that it purported by its label to be pure olive oil, but a certain substance, to wit, cottonseed oil, had been substituted in part in said product for pure olive oil. Misbranding was alleged for the reason that the product bore a label and designation reading as above set forth, to wit, that the oil purported to be a pure olive oil, whereas, 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 of olive or other oils. Misbranding was alleged for the further reason that the product was so labeled as to deceive and mislead the purchaser, in that the packages bore the statement that the substance therein contained was pure olive oil, which statement was false and misleading in the particulars aforesaid.

On June 26, 1912, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be sold or destroyed by the United States marshal.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., November 30, 1912.