

Issued October 18, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2538.

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

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**U. S. v. Louis Scianamea. Plea of guilty. Fine, \$100.**

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### ADULTERATION AND MISBRANDING OF OLIVE OIL.

On March 5, 1913, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Louis Scianamea, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on June 20, 1912, from the State of New York into the State of Connecticut, of a quantity of olive oil which was adulterated and misbranded. The product was labeled: "Huile D' Olive Marca Depositata Vincenzo Jacobitti Lanciano-Bari" "Olive Oil V. J. Product of Italy Guaranteed absolutely pure Guaranteed one full quart."

An analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Index of refraction at 25° C., 1.4681; iodine number (Hanus), 92.3; Halphen test for cottonseed oil, positive; average shortage, 7.9 per cent. Adulteration of the product was alleged in the information for the reason that there was substituted in part for the genuine article another article, to wit, cottonseed oil. Misbranding was alleged for the reason that the product was labeled as set forth above so as to deceive and mislead the purchaser thereof, in that said label would indicate that the product was olive oil produced in Italy, whereas, in truth and in fact, it was a mixture of olive oil and cottonseed oil; and was further misbranded in that it was in package form and the contents were not stated correctly in terms of measure on the outside of the pack-

age, in that said package stated the product to be one full quart, whereas, in truth and in fact, it was 92 per cent of a full quart; and was further misbranded in that it purported to be a foreign product, to wit, a product of Italy, whereas, in truth and in fact, it was a product of the United States; and was further misbranded in that it was falsely branded as to the country in which it was manufactured or produced in being branded as a product of Italy, whereas, in truth and in fact, it was not produced or manufactured in Italy but was produced and manufactured in the United States.

On March 17, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$100.

B. T. GALLOWAY,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *August 26, 1913.*

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