

3503. Adulteration and misbranding of alleged olive oil. U. S. v. Paolo Manganelli. Plea of guilty. Fine, \$25. (F. & D. No. 4720. I. S. No. 15373-d.)

At the April, 1914, term of the District Court of the United States for the Southern District of New York, the jurors of the United States within and for the said district, after presentment by the United States attorney for said district, upon a report by the Secretary of Agriculture, returned an indictment against Paolo Manganelli, New York, N. Y., charging shipment by said defendant, in violation of the Food and Drugs Act, on March 14, 1912, from the State of New York into the State of Massachusetts, of a quantity of alleged olive oil which was adulterated and misbranded. The product was labeled: "La Regina del'Olio-Lucca" (Trade-mark picture of woman).

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Iodin number.....	111.8
Specific gravity, at 15.5° C.....	0.9202
Refractive index, at 15.5° C.....	1.4740
Free acids, as oleic (per cent).....	0.11
Halphen test for cottonseed oil: Strong.	
Sesame oil: None.	

The specific gravity, refractive index, and iodine number are all above the upper limits for olive oil, and are within the limits for the constants of pure cottonseed oil. The Halphen test positively shows the presence of a large amount of cottonseed oil.

Adulteration of the product was charged in the indictment for the reason that a substance, to wit, cottonseed oil, had been substituted in part for the olive oil which the product purported to be, and for the further reason that a substance, to wit, cottonseed oil, had been mixed and packed with the article aforesaid so as to reduce and lower and injuriously affect its quality and strength.

Misbranding was charged for the reason that the statement "La Regina del'Olio-Lucca," appearing on the label, was false and misleading in that it conveyed the impression that the article consisted of olive oil, whereas, in truth and in fact, it did not consist of olive oil, but was a mixture of olive oil and cottonseed oil. Misbranding was charged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "La Regina del'Olio-Lucca," thereby creating the impression that it was pure olive oil, whereas, in truth and fact, the said article was not pure olive oil, but was a mixture of olive oil and cottonseed oil. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "La Regina del'Olio-Lucca," thereby creating the impression that it was a foreign product, to wit, that it came from Italy, whereas, in truth and in fact, it was not a foreign article, but was an article of domestic production.

On July 15, 1914, the defendant entered a plea of guilty to the indictment and the court imposed a fine of \$25.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., December 31, 1914.