

Issued April 7, 1910.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 254, FOOD AND DRUGS ACT.

ADULTERATION OF MOLASSES.

On or about January 13, 1910, the Philadelphia Horse & Cattle Molasses Company, Philadelphia, Pa., shipped from the State of Pennsylvania into the District of Columbia 54 barrels of a food product known as molasses. Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Columbia.

In due course a libel was filed against the said 54 barrels of molasses, charging adulteration of the product within the meaning of the act because the said 54 barrels and each of them contained a substance, water, which had been mixed with the contents of the barrel so as to reduce, lower, and injuriously affect the quality and strength of the product, and praying seizure, condemnation, and forfeiture.

On February 25, 1910, the Philadelphia Horse & Cattle Molasses Company filed a plea and answer admitting the charges of the libel, and the case coming on for final hearing, the court rendered its decree of condemnation and forfeiture in substance and form as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA, HOLDING A DISTRICT COURT.

UNITED STATES OF AMERICA	} District No. 860.
<i>vs.</i>	
FIFTY-FOUR BARRELS, MORE OR Less, of Molasses.	

DECREE OF CONDEMNATION.

Upon motion of the United States for judgment of condemnation in the above entitled cause, and it appearing to the Court that upon the libel filed herein on the twenty-fifth day of January, A.D., 1910, the Marshal of the United States for the District of Columbia has seized fifty-two barrels of molasses, appraised at one hundred and four dollars (\$104.00) and it further appearing that the Philadelphia Horse

and Cattle Molasses Company, a body corporate, has entered its appearance herein as the owner of said molasses, and has filed herein its plea consenting to the judgment of condemnation, and no objection being signified to the court; and it further appearing that the said fifty-two barrels of molasses, and each of them, contain a substance, that is to say, water, which has been mixed with the molasses contained in said barrels so as to reduce and lower and injuriously affect the quality and strength of the molasses contained in the said barrels and each of them; and it further appearing that the said fifty-two barrels and each of them were transported from the city of Philadelphia, state of Pennsylvania, into the District of Columbia, and so having been transported remain unloaded, unsold and in original unbroken packages in said District;

It is this 25th day of February, A.D., 1910,

Adjudged, ordered and decreed, That the said fifty-two barrels of molasses in the custody of the United States Marshal are adulterated within the meaning of the said Act of Congress approved June thirtieth, A.D. 1906, and the said fifty-two barrels of molasses and each of them are hereby condemned, and they shall be disposed of by sale by the said United States Marshal under such terms and conditions as will not violate the provisions of the said Act of Congress approved June thirtieth, A.D. 1906.

It is further ordered, That the respondent, the Philadelphia Horse and Cattle Molasses Company, a body corporate, pay all the costs of these proceedings.

It appearing that the contents of the said fifty-two barrels of molasses are suitable as a food for cattle, it is provided, however, that upon the respondent, the Philadelphia Horse and Cattle Molasses Company, a body corporate, paying all the costs of these proceedings, and executing and delivering to the said United States a good and sufficient bond with surety to be approved by the Court, in the penal sum of two hundred dollars, conditioned that none of the said fifty-two barrels of molasses shall be sold or in any manner whatever disposed of contrary to the provisions of the said Act approved June thirtieth, A. D. 1906, and the said Philadelphia Horse and Cattle Molasses Company having agreed to label the said barrels in a manner to be approved by the said Attorney of the United States, the said Marshal shall re-deliver and surrender the said fifty-two barrels of molasses to the respondent, the Philadelphia Horse and Cattle Molasses Company, in lieu of the disposition by sale as aforesaid.

By the Court.

WENDELL P. STAFFORD,
Justice.

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 8, 1910.*