

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 765, FOOD AND DRUGS ACT.

ADULTERATION OF MINCEMEAT.

On or about October 6, 1910, W. H. Brenneman, Harrisburg, Pa., shipped from the State of Pennsylvania into the State of New York a consignment of 3,965 pounds of mincemeat in barrels and in pails, each of said barrels and pails being labeled as follows: "Hertzler's Celebrated Mince Meat. Manufactured by W. H. Brenneman, 12th and Hamilton Sts., Harrisburg, Pa." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to contain 0.06 of 1 per cent of salicylic acid. As the above analysis and report thereon showed that the product was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, and liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of New York.

In due course a libel was filed in the District Court of the United States for said district against the said 3,965 pounds of mincemeat, charging the above shipment and alleging that the product so shipped was adulterated in that it contained an added deleterious ingredient, to wit, salicylic acid, which rendered said article injurious to health and unfit for human food; and praying condemnation and seizure of the product.

On November 22, 1910, the cause came on for hearing and no claimants of the product having appeared, and no answer having been filed, the court being fully informed in the premises, issued its decree condemning and forfeiting the said mincemeat to the use of the United States for the cause in the libel above set forth, and ordering the destruction of said product by the marshal for said district, with costs to the Government against the owner.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *February 9, 1911.*

