

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 954, FOOD AND DRUGS ACT.

MISBRANDING OF "MATZOS."

On or about January 9, 1911, B. C. Friedman, Philadelphia, Pa., shipped from the State of Pennsylvania into the State of Maryland a quantity of a food product labeled: "Largest bakery in the South, Established 1885. Bernstein's celebrated Kosher Bakery and office corner High and Low Streets, Baltimore, Md. Bernstein's Matzos. Known everywhere as the best." A sample from this shipment was procured and investigations by the Bureau of Chemistry, United States Department of Agriculture, developed the fact that it had been manufactured and packed in the city of Philadelphia. As it appeared from the findings of said Bureau and report thereon that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, and 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 Maryland.

On January 17, 1911, a libel was filed in the District Court of the United States for said district against the said 4,925 packages of matzos, charging the above shipment and alleging the product to be misbranded because the labels thereof indicated that the product was manufactured in Baltimore, Md., when in truth and in fact it was manufactured in Philadelphia, Pa., and praying seizure, condemnation, and forfeiture of the product. Thereupon Annie Bernstein, consignee of said packages, entered her appearance and filed a claim to the ownership thereof, admitting the charge against the product set forth in the above libel and submitting to such decree as should seem fitting to the court.

On January 19, 1911, the cause came on for hearing and the court being fully informed in the premises, issued its decree finding the product to be misbranded as alleged in the above libel, and condemning and forfeiting the same to the use of the United States; with a

proviso, however, that the packages in question should be delivered to the above mentioned claimant upon the payment of the costs of these proceedings and execution and delivery of a good and sufficient bond in the penal sum of \$300, conditioned that the product should not be sold or disposed of contrary to law. The costs having been paid and bond furnished in accordance with the terms of this decree, the product was forthwith released to claimant.

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., *June 13, 1911.*

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