

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1047.

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

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### ADULTERATION OF BLACK OLIVES.

On February 8, 1911, the United States Attorney for the Western District of Pennsylvania, acting upon the report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of five barrels of black olives in the possession of the Pennsylvania Macaroni Co.

Examination of a sample from said consignment, made by the Bureau of Chemistry, United States Department of Agriculture, showed that 15.4 per cent of the olives were passable, 3.5 per cent were wormy, 42.8 per cent worm-eaten, and 38 per cent decayed. The libel alleged that the black olives, after shipment by Alco G. Psiaki Co., of New York, from the State of New York into the State of Pennsylvania, remained in the original unbroken packages and were adulterated in violation of the Food and Drugs Act of June 30, 1906, because they consisted in whole or in part of a filthy, decomposed, or putrid vegetable or animal substance, and were, therefore, liable to seizure for confiscation.

On March 13, 1911, it appearing from the return of the marshal that he had seized three barrels of said olives and no person having intervened a claim thereto, the court, on motion of the United States Attorney, entered a decree condemning said three barrels of black olives and ordering their destruction by the marshal.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *August 5, 1911.*