

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1330.

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

ADULTERATION OF DRIED APPLES.

On August 31, 1911, the United States Attorney for the District of Maryland, acting upon reports of the Secretary of Agriculture, filed in the District Court of the United States for said district two libels praying condemnation and forfeiture of two bags, respectively, of dried apples, one found on the premises of the Northern Central Railway Co., in the city of Baltimore, and the other in the possession of R. S. Jackson & Co., of said city. The first-mentioned consignment was in a second-hand bag labeled "The Acron Milling Co., Harbor Beach, Mich., Industrial Corn Starch. The Industrial Corn Starch Co., Boston, Mass." The second mentioned consignment was in a second-hand bag labeled: "150 lbs. Leverings Winner Brand Coffee. Levering Coffee Co., Baltimore, Md."

Examination of a sample of each of said consignments, designated for purposes of identification as I. S. Nos. 741-d and 742-d, was made by the Bureau of Chemistry of the United States Department of Agriculture and reported thereon as follows: That both consignments were badly worm-eaten and infested with a large amount of worms and excreta; that with respect to I. S. 741-d a sample of 255 grams showed one beetle, 13 worms, and one fly, appearance very poor, covered with excreta, and in the case of 742-d, from a sample of 321 grams, 8 worms, whole sample worm-eaten and covered with excreta, appearance poor. The libels alleged that the aforesaid products, after shipment by S. & J. Kimble & Co., Bushy Run, W. Va., and Guinn Bros., Culpeper, Va., respectively, from the State of Virginia into the State of Maryland, 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 part of filthy animal

and vegetable substances, to wit, worms, beetles, flies, worm excreta, and worm-eaten apples, and were therefore liable to seizure for confiscation.

On October 23, 1911, the cases coming on for hearing and no one having appeared as claimant in either case, the court found the several products adulterated as alleged in the libels and entered decrees condemning and forfeiting the said products to the United States, and on October 27, 1911, final decrees were entered in said cases ordering the complete destruction of the aforesaid products by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 25, 1912.*

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