

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1914.

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

MISBRANDING OF PEARS.

On January 20, 1912, the United States Attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases, each containing two dozen cans of pears remaining unsold in the original unbroken packages and in possession of the Ridenour-Baker Mercantile Co., a corporation, Oklahoma City, Okla., alleging that the product had been shipped from the State of Maryland into the State of Oklahoma on or about November 13, 1911, and charging misbranding in violation of the Food and Drugs Act.

The product was labeled: "Booster Brand, Bartlett Pears, Booster Packed for Ridenour-Baker Merc. Co., Oklahoma City, Okla. Catch the step." Misbranding of the product was alleged in the libel for the reason that the statement, design, and device on the labels and brands on the product were false, misleading, and deceptive, and such as to deceive and mislead the purchaser and purchasers thereof, in that the product was not Bartlett pears as on the labels and brands stated, but in truth and in fact was a different and inferior article of food, to wit, Kiefer pears.

On June 24, 1912, judgment of condemnation and forfeiture was entered, the court finding the product misbranded, and, further, that the Ridenour-Baker Mercantile Co. had caused the pears to be labeled and branded as aforesaid, and it was further ordered that said product should be sold by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 9, 1912.

