

Issued February 2, 1910.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 146, FOOD AND DRUGS ACT.

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### THE ADULTERATION OF RAISINS.

In accordance with the provisions of Section 4 of the Food and Drugs Act of June 30, 1906, and of Regulation 6 of the Rules and Regulations for the enforcement of the Act, notice is given that on the 18th day of November, 1909, a judgment was entered in the below entitled case in the Supreme Court of the District of Columbia holding a District Court of the United States upon a libel filed under Section 10 of the aforesaid Act, alleging, in substance:

That seven boxes, more or less, of a product labeled "California Seedless Muscatel Raisins Packed by Rosenberg Bros. & Co., California," found on the premises and in the possession of one John C. Berg, at No. 2315 L street NW., in the City of Washington, District of Columbia, were adulterated in that they were infested with worms and other animal matter, and so contaminated by the presence thereof as to be unfit for human consumption; and further charging that said raisins were being manufactured in food products and offered for sale in the District of Columbia after having been so prepared by the said John C. Berg.

The libel prayed process against all claimants to the property therein described and judgment of condemnation of the same. No claimant having appeared to make answer to said allegations, the Court rendered its decree, in substance and form as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA HOLDING A DISTRICT COURT.

UNITED STATES OF AMERICA, <i>Libelant</i> ,	} District No. 848.
<i>vs.</i>	
SEVEN BOXES, MORE OR LESS, OF SEEDLESS RAISINS	

### JUDGMENT OF CONDEMNATION.

Upon motion of the United States for judgment of condemnation in the above entitled cause, and it appearing to the Court that upon the libel filed herein on the 27th day of September, A. D. 1909, the marshal of the United

States for the District of Columbia has seized four boxes of seedless raisins, and it further appearing that the said seedless raisins were found in the possession of John C. Berg, in the District of Columbia, and that said John C. Berg was offering said seedless raisins for sale in said District, and that a copy of the writ was duly served upon the said John C. Berg by the United States marshal, and a copy of the same duly affixed to the court-house door, and that the time for filing the response or answer to the libel herein has expired, and that no response or answer having been filed to the said libel, and no objection being signified to the Court, and it further appearing that the said boxes of seedless raisins are infested with worms and other animal matter, and are so contaminated by the presence of the said worms and other animal matter that the said seedless raisins are unfit for human consumption.

IT IS BY THE COURT, this 18th day of November, A. D. 1909,

ADJUDGED, ORDERED AND DECREED: That the said four boxes of seedless raisins in the custody of the United States marshal are adulterated within the meaning of the Act of Congress approved June 30, 1906.

IT IS FURTHER ORDERED: That the said seedless raisins be and they are hereby condemned, and they shall be destroyed by the said United States marshal, in such manner as is provided by the said Act of Congress approved June 30, 1906.

IT IS FURTHER ORDERED: That the said John C. Berg pay all the costs of these proceedings.

BY THE COURT.

WENDELL P. STAFFORD, *Justice.*

Prior to the filing of the above libel, an inspector of the Department of Agriculture called at the place of business of the said John C. Berg, 2315 L street NW., Washington, D. C., and obtained a sample of the above product, which was subjected to an examination in the Bureau of Chemistry of the Department of Agriculture. The examination disclosed the fact that the product was adulterated in the particulars before stated; whereupon the Secretary of Agriculture reported this fact to the United States attorney for the District of Columbia, who filed the above libel with the result hereinbefore stated.

JAMES WILSON,  
*Secretary of Agriculture.*

JANUARY 10, 1910.

