

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 899, FOOD AND DRUGS ACT.

ADULTERATION OF ICE CREAM CONES.

On or about April 4 and 11, 1910, respectively, the Globe Biscuit Specialty Works, a corporation, Baltimore, Md., shipped two consignments of a food product labeled "The Globe Biscuit Specialty Works, Baltimore, Md., Cones (Guaranty Legend) Serial No. 23761. This box contains 100 cones," the former of said consignments being shipped from the State of Maryland into the State of Illinois and the latter from the State of Maryland into the State of Wisconsin. Samples of these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and boric acid was found in the product contained in both shipments, the proportion of boric acid in the former being 0.10 per cent, and in the latter 0.13 per cent. As the findings of the analyst and report thereon indicated that the product was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, the Globe Biscuit Specialty Works and the parties from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the above shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

In due course two criminal informations were filed in the District Court of the United States for the District of Maryland against the said Globe Biscuit Specialty Works, one for each of the above shipments, charging the same and alleging that the product so shipped was adulterated because it contained an added poisonous ingredient, to wit, boric acid, which might render the said article of food injurious to health.

On January 14, 1911, the defendant entered a plea of guilty to both of the above informations, whereupon the court imposed a fine of \$10 in each case.

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., *May 20, 1911.*