

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1333.

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

ADULTERATION OF DRIED CHERRIES.

On August 24, 1911, the United States Attorney for the District of Maryland, acting upon a 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 one barrel of dried cherries in the possession of R. S. Jackson & Co., Baltimore, Md. The product was labeled: "Shipped by Jas. W. Early, P. O. Address Mount Fair, Va. Expressed from Mechum's River, Va. R. S. Jackson & Co. Produce Commission Merchants. Eggs, Poultry, Butter. No. 113 S. Charles St. Baltimore, Md. Reference: The Maryland National Bank of Baltimore, Md."

Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed in 150 grams 63 worms, 15 cocoons, 4 flies, 1 ant, and 4 beetles, and that the appearance of the product was poor. The libel alleged that the product, after shipment by James W. Early, Mount Fair, Va., from the State of Virginia into the State of Maryland, remained in the original unbroken package and was adulterated because it consisted in part of filthy animal and vegetable substances, to wit, worms, cocoons, flies, ants, and beetles, and was, therefore, liable to seizure for confiscation.

On October 25, 1911, the case coming on for trial, and no one having appeared as claimant, the court found the product adulterated as alleged in the libel and entered a decree condemning and forfeiting the same to the United States and ordering its complete destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

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

