

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

---

## NOTICE OF JUDGMENT NO. 2616.

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

---

**U. S. v. 18 Barrels Mincemeat. Decree of condemnation by consent. Product released on bond.**

---

### MISBRANDING OF MINCEMEAT.

On December 24, 1912, the United States Attorney for the Western District of Missouri, 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 18 barrels of mincemeat remaining unsold in the original unbroken packages and in possession of the C. C. Yost Pie Co., Kansas City, Mo., alleging that the product had been shipped on or about October 16, 1912, by the Goodwin Preserving Co., Louisville, Ky., and transported from the State of Kentucky into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "Crescent Brand Mince Meat. Prepared with Corn Syrup. Louisville Preserving Co, Louisville, Kentucky. Containing 1/10 of 1% Benzoate of Soda."

Misbranding was alleged in the libel for the reason that it was represented and stated on the labels upon the barrels that the product was mincemeat, whereas, in truth and in fact, it did not contain meat that was minced but contained 0.2 per cent of nitrogen, 2.2 per cent beef fat, one-tenth per cent of benzoate of soda, 48 per cent fruit pulp, 32 per cent raisins, and a small amount of spice, and no meat fiber whatever was contained in the product, and said label and brand deceived and misled the purchaser into the belief that the product consisted of a substantial amount of meat that had been minced, whereas it did not contain any meat whatever.

On February 21, 1913, the Goodwin Preserving Co., Louisville, Ky., claimant, having admitted the allegations in the libel, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be redelivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$500 in conformity with section 10 of the Act.

B. T. GALLOWAY,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *September 22, 1913.*

