

# United States Department of Agriculture,

OFFICE OF THE SECRETARY,

BOARD OF FOOD AND DRUG INSPECTION.

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## NOTICE OF JUDGMENT NOS. 18-21, FOOD AND DRUGS ACT.

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**All Concerning the Misbranding and Adulteration of Honey, Glucose and  
Invert Sugar Being Present.**

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(N. J. 18.)

### MISBRANDING AND ADULTERATION OF HONEY.

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 11th day of July, 1908, in the district court of the United States for the eastern district of Michigan, southern division, in a proceeding of libel for condemnation of eight barrels of adulterated and misbranded honey, wherein the United States were libelants and Rogers Holloway Company, a corporation of Philadelphia, Pa., was claimant, the case coming on for a hearing and the said claimant having failed to answer a decree of forfeiture and condemnation, as hereinbelow set out, was rendered and an order was made by the court that the goods be returned to claimant upon the bond theretofore filed by it in accordance with section 10 of the act.

UNITED STATES OF AMERICA.

The District Court of the United States for the Eastern District of Michigan,  
Southern Division.

UNITED STATES OF AMERICA }  
    *vs.* } No. 5190.  
8 BARRELS "HONEY." }

Rogers Holloway Company, a corporation organized under the laws of the State of Pennsylvania, and a citizen thereof, by Hunt and Altland, its proctors, comes now into court and acknowledges the misbranding and adulteration of the above-entitled honey as set forth in the amended libel filed in said cause, and consents that the same may be condemned and forfeited to the United

States under the provisions of the act of Congress of June 30, 1906, entitled, "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, or liquors, and for regulating traffic therein, and for other purposes," subject to the right of said claimant to give bond therefor and obtain delivery thereof upon the terms and conditions of section 10 of the above-entitled act of Congress.

Now, therefore, it is hereby ordered, adjudged, and decreed that the said honey be, and the same is hereby, condemned and forfeited to the United States as being misbranded and adulterated within the provisions of the aforesaid act of Congress.

(Signed)

HENRY H. SWAN,  
*District Judge.*

JULY 11, 1908.

The following is a statement of facts upon which the case was based: On or about January 24, 1908, an inspector of the Department of Agriculture located in the possession of the Globe Tobacco Company, of Detroit, Mich., a consignment of eight barrels of food product bearing the mark "H," inclosed in a design the shape of a diamond, shipped and consigned to that company by the Rogers Holloway Company, of Philadelphia, as a pure, strained honey. A sample purchased by inspector was forthwith subjected to analysis in the Bureau of Chemistry, and the results obtained showed that it contained invert sugar and glucose in a small amount. It was evident that the product was not a pure honey as represented, but was both adulterated and misbranded—adulterated because invert sugar and glucose had been mixed and packed with the honey, thereby reducing and lowering its quality and strength; and misbranded in that it was sold as pure honey.

On January 27, 1908, the facts were reported by the Secretary of Agriculture to the United States attorney at Detroit. Libel for seizure and condemnation of the honey in question was duly filed in the district court of the United States for the eastern district of Michigan, southern division, under section 10 of the act, alleging that the said honey was adulterated and misbranded. The seizure was forthwith made and notice given to the said claimant to show reason why the honey was not subject to seizure and confiscation by the United States for the causes stated in the libel; and said claimant having failed to answer, the decree as hereinbefore set forth was rendered by the court.

H. W. WILEY,  
F. L. DUNLAP,  
*Board of Food and Drug Inspection.*

Approved:

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., August 28, 1908.