

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 639, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF MINCE-MEAT.

On or about October 15 and 28, 1909, Ervin A. Rice Company, a corporation, Chicago, shipped from the State of Illinois to the State of New York two consignments of two and three casks, respectively, of a food product labeled: "Gilt-edge Brand Wet Mincemeat, Ervin A. Rice Company, Chicago, Illinois." Samples of these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made showed that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Ervin A. Rice Company and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the 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.

On August 24, 1910, a criminal information was filed against the said Ervin A. Rice Company in the District Court of the United States for the Northern District of Illinois, charging the above shipments and alleging that the product so shipped was adulterated, in that a certain substance, to wit, commercial glucose, had been mixed and packed with the said article, thereby reducing, altering, and injuriously affecting its quality and strength; in that said commercial glucose had been substituted in part for the said article; in that said commercial glucose had been substituted in whole or in part for sugar, which is one of the ancient and well-known and essential ingredients of mince-meat, and alleging that the product was misbranded, in that

the article was an imitation of another article, to wit, genuine mincemeat made with sugar, and in that the label aforesaid did not state the fact that commercial glucose had been substituted in whole or in part for sugar.

On August 25, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$25 and costs.

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., *October 6, 1910.*

