

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 948, FOOD AND DRUGS ACT.

ADULTERATION OF PRUNES.

On or about December 8, 1910, C. W. Stevens Company, Elizabeth City, N. C., shipped from the State of North Carolina into the State of Maryland nine boxes of prunes, eight of which were labeled "St. Clair Brand Santa Clara Prunes. Packed by Haven & Co., San Jose; Cal." and one of which was labeled "Cardinal Brand Fancy California Prunes," each of the above boxes containing about 25 pounds. A representative sample taken from the various boxes was procured and examined by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to be badly worm-infested and to contain a large amount of worm excreta, in addition to being shriveled. As it appeared from the findings of the analyst and report thereon that the product was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, and was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Maryland.

On December 20, 1910, a libel was filed in the District Court of the United States for said district against the said nine boxes of prunes, charging the above shipment, alleging that the product so shipped was adulterated because it consisted in part of a filthy vegetable substance, to wit, worm-eaten prunes, and praying seizure, condemnation, and forfeiture of the product.

On February 28, 1911, the cause came on for hearing and no claimant to the product having appeared, or answer to the allegations of the above libel having been filed, the court, being fully informed in the premises, issued its decree finding the product to be adulterated as alleged in said libel, condemning and forfeiting the same to the use of the United States, and ordering its destruction by the marshal of said district.

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., *June 10, 1911.*

