

Issued June 28, 1910.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 429, FOOD AND DRUGS ACT.

MISBRANDING OF HOLLAND RUSK.

On or about April 16, 1909, Joseph Schellings, Brooklyn, N. Y., shipped from the State of New York to the State of New Jersey a quantity of alleged Holland Rusk. Samples of this product were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded said Joseph Schellings, and the party from whom the samples were procured, opportunities for hearings. As it appeared after hearings held that said shipment was 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.

In due course a criminal information was filed in the Circuit Court of the United States for the Eastern District of New York charging the above shipment and that the product was misbranded within the meaning of the act, because it was labeled "Original Holland Rusk made in Holland. Delicious, nourishing and healthful," when as a matter of fact said article was not a product of the Kingdom of Holland but was made in the Borough of Brooklyn, County of Kings, State of New York.

On May 3, 1910, the defendant filed a plea of guilty to the above information and was fined \$15.

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., *May 23, 1910.*

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