

Issued January 25, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

---

## NOTICE OF JUDGMENT NO. 1246.

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

---

### ADULTERATION OF FIGS.

On August 14, 1911, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district a libel praying condemnation and forfeiture of 30 bags of figs in the possession of A. J. Medlar Co., Philadelphia. The product bore no label other than the name and address of the consignee.

Samples obtained from each of six of the bags in said shipment were analyzed by the Bureau of Chemistry of the United States Department of Agriculture, and the analysts' report upon three of the divisions of the samples is as follows: (1) Figs passable, 9.1 per cent; figs wormy, 24.3 per cent; figs containing excreta, 8.5 per cent; figs dirty and fermented, 6.7 per cent; figs containing sugar mites, 51.2 per cent; four live worms found. (2) Figs passable, 4.0 per cent; figs decayed, 1.5 per cent; figs containing excreta, 13.8 per cent; figs containing worms, 20.4 per cent; figs containing sugar mites, 60.3 per cent; most of the figs were also fermented and dirty; ten live worms found. (3) Figs passable, 15.8 per cent; figs wormy, 23.8 per cent; figs containing excreta, 8.8 per cent; figs dirty and fermented, 12.5 per cent; figs moldy, 0.5 per cent; figs containing sugar mites, 38.4 per cent; five live worms found. In addition, the analysts report the "appearance of all samples poor. All samples badly infested with sugar mites, also somewhat fermented." The libel alleged that the product after shipment by J. Kusykin & Co., from the State of New York into the State of Pennsylvania, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, and was therefore liable to seizure for confiscation.

On October 6, 1911, the case coming on for hearing, the court found the product adulterated, as alleged in the libel, and condemned and forfeited it to the United States, and ordered its destruction by the marshal.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *December 8, 1911.*