

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1260.

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

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### ADULTERATION OF HERRING.

On August 19, 1911, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 20 packages of herring on the wharves of the Pennsylvania Railroad at Philadelphia, consigned to Perlman & Davis, of that city. The product bore no label other than the name and address of the consignee. Examination of two boxes of said product, marked "A" and "B," respectively, made by the analysts of the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Bucket A. Fish were soft and considerably broken, and were in a turbid liquor. They were so tender as to be easily torn apart on handling. Odor foul and very offensive. Fish are putrid and rotten.

Bucket B. Sample in a soft and semi-fluid condition, the fish being very badly broken up. Odor foul and putrid and offensive in the extreme.

Bucket A. Soft, broken, ill-smelling and very disgusting in appearance.

Bucket B. Appearance, completely decomposed, rotten.

The libel alleged that the herring, after transportation 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 said product consisted in whole or in part of a filthy, putrid, and decomposed animal substance, and was therefore liable to seizure for confiscation.

On October 6, 1911, the case coming on for hearing, the court entered a decree finding the product adulterated as alleged in the libel, and condemning and forfeiting it to the United States and ordering its destruction by the marshal.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *December 19, 1911.*