

United States Department of Agriculture

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1372.

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

ADULTERATION OF PEANUTS.

On November 27, 1911, the United States Attorney for the Northern District of Illinois, acting upon a report from the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 33 bags of peanuts and 15 bags of peanuts, in the possession of Syme, Eagle & Co., Chicago, Ill. Each of the bags in the lot composed of 33 bags was labeled "Virginia—3—Dixie Peanut Company, Petersburg, Va., 4091." The second lot, consisting of 15 bags, was labeled "No. 3, Virginia, Dixie Peanut Co., Petersburg, Va., 4243."

Examination of a sample from each consignment made by the Bureau of Chemistry of the United States Department of Agriculture, numbered I. S. 3844-d and 3845-d, respectively, showed the following results: (I. S. No. 3844-d) 43.6 per cent of the peanuts broken and wormy, miscellaneous seeds 2.5 per cent, stones 1.2 per cent, sticks 2.1 per cent, dirt 14.1 per cent, rodent excreta 0.9 per cent, shriveled peanuts 35.6 per cent; odor rancid; unfit for human food in present condition. (I. S. No. 3845-d) 43 per cent of the peanuts broken and wormy, sticks 5.3 per cent, shriveled peanuts 51.6 per cent, dirt 0.1 per cent; odor rancid; unfit for human food in present condition. The libel alleged that the peanuts, after shipment by the Dixie Peanut Co., of Petersburg, Va., from Cleveland, Ohio, into the State of Illinois, remained in the original unbroken packages and were adulterated in violation of the Food and Drugs Act of June 30, 1906, because they consisted in part of filthy animal and vegetable matter, to wit, worms, seeds, sand, and rodent excreta, and were therefore liable to seizure for confiscation.

On January 10, 1912, the case being in default, on motion of the United States Attorney, the court entered a decree condemning and forfeiting the product to the United States as being adulterated as alleged in the libel, and ordered its destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *February 9, 1912.*