

Issued August 30, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1612.

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

MISBRANDING OF GERMAN GRITS.

On January 17, 1912, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 bags of German grits remaining unsold in the original unbroken packages and in the possession of Hyman Sachs, Louis Glass, and Max Udelowish, partners doing business as the Standard Grocery Co., Chicago, Ill., alleging that the product had been shipped on December 16, 1911, by A. Pepp & Sons Co., a corporation, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "German Grits Number 1, for Standard Grocery Co., Chicago, Ill., from A. Pepp and Sons, Millers, 837-39 Washington Ave., Philadelphia, Pa."

Misbranding was alleged in the libel for the reason that the labels on the product purported to state that it was a foreign product manufactured in the Empire of Germany, whereas, as a matter of fact, it was manufactured in the city of Philadelphia, State of Pennsylvania, and was not a foreign product.

On February 13, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be sold by the marshal and relabeled by the purchaser.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., June 19, 1912.

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