

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 564, FOOD AND DRUGS ACT.

MISBRANDING OF CANNED CORN.

On or about October 22, 1908, the Allen Brothers Company, Omaha, Nebr., shipped from the State of Nebraska to the State of Idaho one hundred and fifty cases of canned corn, each of said cases being labeled "2 doz. 2 lb. Golf Queen Sugar Corn packed by Ft. Des Moines Canning Company, Dexter, Iowa." Samples of this product were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report made that the said shipment was liable to seizure under section 10 of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture reported the facts to the United States attorney for the district of Idaho.

In due course a libel was filed in the District Court of the United States for said district against the said one hundred and fifty cases of canned corn, alleging that the product shipped as aforesaid was misbranded, in that the statement on the outside of the said cases and each thereof was not plainly and correctly stated in terms of weight as to the contents thereof, each of said cases being branded and labeled as above set forth, when in truth and in fact the contained units of said cases averaged only 24 ounces in weight as the combined weight of the can and contents. Thereupon the Fort Des Moines Canning Company entered its appearance and filed claim to the goods and, availing itself of the provisions of section 10 of the act, petitioned the court that the product be restored to it upon the execution and delivery by said company of a bond in the sum of two hundred dollars, conditioned that the product should not be sold or otherwise disposed of contrary to law. Said bond having been accepted by the court and the costs of the proceedings paid by said claimant, the court ordered the goods in question restored to it.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *August 17, 1910.*

