

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 579, FOOD AND DRUGS ACT.

MISBRANDING OF RICE MEAL.

On or about February 24, 1909, the West Point Mill Company, a corporation, Charleston, S. C., shipped from the State of South Carolina to the State of North Carolina a quantity of food product labeled: "Carolina Rice Meal, West Point Mill Co., Charleston, S. C. Protein 11.15, fat 9.25, crude fiber 7.50."

Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made showed that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded said West Point Mill Company and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of South Carolina against said West Point Mill Company, charging the above shipment and alleging that the product was misbranded, in that the numerals in the label above set forth indicated the percentages of the ingredients after which they were written as constituents of the product in question, and that the percentage of protein therein did not amount to 11.15, but was only 9.72; in that the percentage of fat in said product did not amount to 9.25, but was only 7.69; and in that the percentage of crude fiber in said product was not 7.50, but was a larger amount, to wit, 9.98.

On January 18, 1910, the defendant appeared, by its president, and entered a plea of guilty to the above information, whereupon the court imposed a fine of \$50.

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 27, 1910.*