

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 728, FOOD AND DRUGS ACT.

MISBRANDING OF LINSEED MEAL.

On or about November 17, 1908, the Robert B. Brown Oil Company, a corporation, St. Louis, Mo., shipped from the State of Missouri into the State of Illinois a quantity of linseed meal in bags labeled (on tags attached to bags): "100 lbs—Robert B. Brown Oil Company, St. Louis. Pure old process Linseed Meal. Guaranteed. Analysis, protein 34 per cent, crude fat and oil 9 per cent, crude fiber 8 per cent." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to contain moisture 9.87 per cent, ether extract 9.53 per cent, protein 31.66 per cent, and crude fiber 7.96 per cent. 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 the said Robert B. Brown Oil Company, Incorporated, and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the 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 Missouri against the said Robert B. Brown Oil Company, Incorporated, charging the above shipment and alleging that the product so shipped was misbranded in that the contents of said sacks contained 31.61 per cent protein, whereas the label upon the tags attached to said sacks stated that the contents thereof contained 34 per cent protein, and that the tags attached to said sacks were so labeled as to mislead and deceive the purchaser and the labels upon the tags attached to said sacks were false and misleading.

On November 9, 1910, the defendant entered a plea of guilty to the above information, and the court imposed a fine of \$1 and costs.

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., *January 16, 1911.*

