

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 913, FOOD AND DRUGS ACT.

### MISBRANDING OF STOCK FEED.

On or about February 18 and 23, 1909, the Acme Milling Company, a corporation, Talbott, Tenn., shipped from the State of Tennessee into the State of North Carolina two consignments of a stock feed labeled: "Acme Feed. Mfg. by Acme Milling Co., Talbott, Tenn. Guar. analysis protein 16.00%, fat 5.00%, fibre 7.17%. Made from wheat bran, wheat, wheat middlings, corn meal, wheat shorts, wheat screenings, and corn bran." Samples of these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the samples of the product analyzed were found to contain 13.63 per cent and 13.41 per cent of protein, respectively. As the findings of the analysts and reports thereon indicated that the product was misbranded the said Acme Milling Company and the parties from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the above shipments were 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 Tennessee against the said Acme Milling Company, charging the above shipments and alleging that the product so shipped was misbranded, because it was guaranteed in the above label to contain 16 per cent of protein, when in truth and in fact it only contained 13.63 per cent of protein in one case and 13.41 per cent of protein in the other case.

On August 2, 1910, the defendant appeared and admitted the verity of the facts charged in the above information, whereupon the court imposed a fine of \$10 and costs of prosecution.

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

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *May 25, 1911.*

