

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1809.

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

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### ADULTERATION AND MISBRANDING OF CATTLE FEED (WHITE CLIPPED OATS).

On October 12, 1911, the United States Attorney for the Western District of Tennessee, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edgar-Morgan Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on November 8, 1910, from the State of Tennessee into the State of Florida, of a quantity of stock feed which was adulterated and misbranded. The product was labeled "160 lbs. Edgar's Fancy No. 2 White Clipped Oats. Memphis."

Examination of a sample of the product by the Bureau of Chemistry of this Department showed the following results: 25 grams sample showed clipped oats, 95.2 per cent; wheat, 3.2 per cent; chaff and seeds, 1.6 per cent. Adulteration and misbranding were alleged in the information for the reason that the product, which purported to be No. 2 white clipped oats, bore certain brands and labels which set forth and represented that the product was white clipped oats of grade No. 2, whereas in truth and in fact said oats were not grade No. 2 white clipped oats, but were a much lower grade and contained and consisted of 95.2 per cent oats, 3.2 per cent wheat, and 1.6 per cent chaff and seeds; that the representations and statements made on the brand and labels, that said oats were No. 2 white clipped oats, were false, untrue, and misleading, and calculated to deceive the purchaser or purchasers thereof.

On May 29, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25, and costs amounting to \$16.25 were assessed.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *October 11, 1912.*

