

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2387.

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

ADULTERATION AND MISBRANDING OF WHEAT BRAN.

On November 26, 1912, the United States Attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 sacks, each containing approximately 100 pounds of so-called pure wheat bran, remaining unsold in the original unbroken packages, and in the possession of Smith Bros., Augusta, Ga., alleging that the product had been shipped on or about November 9, 1912, by the Dunlop Milling Co., Clarksville, Tenn., and transported from the State of Tennessee into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "100 lbs. pure wheat bran, manufactured by the Dunlop Milling Co. Clarksville, Tenn. guaranteed analysis protein 14.75, fat 4.00, crude fibre 9.50, carbo hydrates 57.50, ingredients—made from pure wheat."

Adulteration of the product was alleged in the libel for the reason that it was mixed with wheat screenings, such not being bran as the product purported to contain, but being refuse products of the mill, and therefore the feed value by said screenings lowered, reduced, and injuriously affected in its quality and strength, and for the further reason that said screenings were substituted in part for bran. Misbranding was alleged for the reason that the sacks containing the product bore no statement that it was composed in part of screenings, but on the contrary indicated that it was pure wheat bran and there was nothing in the branding and labeling to indicate said screenings.

On December 28, 1912, the said Dunlop Milling Co., claimant, having admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be released and delivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$400 in conformity with section 10 of the Act.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *March 3, 1913.*

