

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 314, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF A FEED—"GLOBE FLOUR MIDDLINGS."

On or about February 23, 1909, the Globe Elevator Company, of Buffalo, N. Y., shipped from the State of New York to the State of Pennsylvania a consignment of a food product labeled: "100 pounds Globe Flour Middlings, Protein 11 to 13 per cent., fat 3 to 4 per cent., crude fibre 13 to 15 per cent. Globe Elevator Company, Buffalo, N. Y." A sample from this shipment was procured and analyzed by the Bureau of Chemistry of the United States Department of Agriculture, and as it appeared from the findings of the analyst and report thereon that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the Globe Elevator Company and the dealer from whom the sample was purchased 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 on which to base a prosecution. In due course a criminal information was filed against the said Globe Elevator Company in the District Court of the United States for the Western District of New York, charging the above shipment, and alleging that the product was adulterated in that it contained approximately 10.7 per cent ground corn cob, which corn cob had been substituted in part for the genuine article, and was misbranded in that the label stated "Protein 11 to 13 per cent., fat 3 to 4 per cent., crude fibre 13 to 15 per cent.," which statements were false and misleading, in that they purported to state the ingredients of the product, whereas in fact it also contained 10.7 per cent ground corn cob.

On March 8, 1910, defendant entered a plea of guilty and 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.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *April 26, 1910.*