

Issued June 28, 1910.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 422, FOOD AND DRUGS ACT.

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### MISBRANDING OF CANNED CORN.

(UNDER WEIGHT.)

On or about July 23, 1909, the Audubon Canning Company, a corporation of Audubon, Iowa, shipped from said state of Iowa to the state of Utah a quantity of canned corn. Samples from this shipment were procured and examined by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Audubon Canning Company and the party from whom the samples were procured were afforded 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 Southern District of Iowa, charging the above shipment and that the product in question was misbranded within the meaning of the said act, in that the cases containing said cans of corn were labeled "Two Doz. Two Pounds, Sweet Corn, Audubon Canning Company, Audubon, Iowa," which said brand and label was false and untrue, because in truth and in fact the said cases contained 24 cans of sweet corn each, and each can contained 24 ounces of sweet corn and no more.

On September 29, 1909, defendant filed a plea of guilty to this information and the court imposed a fine of \$25 and costs.

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 23, 1910.*

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