

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 439, FOOD AND DRUGS ACT.

MISBRANDING OF FLOUR.

During the month of November, 1908, the La Grande Milling Company, La Grande, Oreg., shipped from the said State of Oregon to the State of California 1,000 sacks of flour. Examination of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the product was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States Attorney for the Northern District of California.

In due course a libel was filed in the District Court of the United States, in and for said district, against the said 1,000 sacks of flour charging said product to be misbranded within the meaning of the act, because each of said thousand sacks bore the label or brand "California Queen Extra Patent Family Flour. Henry F. Allen, agent, San Francisco" and was also marked on the end thereof in red letters "California Queen," when as a matter of truth and fact the flour contained in each and every one of said sacks was manufactured by the La Grande Milling Company at La Grande in the State of Oregon, and the label appearing on each of said sacks was therefore false and misleading.

Thereupon H. F. Allen, San Francisco, Cal., entered an appearance and set up a claim to the product, and the case coming on for hearing, the goods were released to said claimant in accordance with the provisions of section 10 of the act, by order of court, upon the filing of a bond conditioned that said product should not be sold in violation of law.

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.*

