

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 729, FOOD AND DRUGS ACT.

MISBRANDING OF CHICK FEED.

On or about February 12, 1909, the W. F. Chamberlain Feed Company, a corporation, St. Louis, Mo., shipped from the State of Missouri into the State of Illinois a consignment of chick feed labeled: (on bags) "100 lbs. Chamberlain's (Serial No. 13718) Premium Feed—Chick Size—guaranteed Analysis protein 10 per cent, fat 3.50 per cent, sugar and starch 60 per cent, fiber 6 per cent. Made from wheat, Kaffir corn, grit, screenings, field seeds. W. F. Chamberlain Feed Co., St. Louis, Mo.;" (on tag attached to bag) "100 lbs. Chick Feed made by W. F. Chamberlain, St. Louis, Mo. Guaranteed Analysis protein 11 per cent, fat 4 per cent, fiber 4 per cent. Made from Kaffir corn, corn, grit, and field seeds." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to consist of moisture 11.12 per cent, ether extract 1.41 per cent, protein 8.75 per cent, crude fiber 1.89 per cent, reducing sugar 0.22 per cent, sucrose 0.28 per cent, starch 55.73 per cent. As the findings of the analyst and report made showed that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said W. F. Chamberlain Feed Company, Incorporated, and the party from whom the samples were procured 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 Eastern District of Missouri against the said W. F. Chamberlain Feed Company, Incorporated, charging the above shipment and alleging that the product so shipped was misbranded in that the contents of said sacks contained 8.75 per cent protein and 1.41 per cent fat, whereas the labels of the said sacks stated that the contents thereof contained 10 per cent protein and 3.50 per cent fat, and the tag attached to said sacks stated that the

contents thereof contained 11 per cent protein and 4 per cent fat, and said sacks were so labeled as to mislead and deceive the purchaser, and the labels upon said sacks and upon the tags attached thereto were false and misleading.

On November 9, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$10 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 17, 1911.*