

**5692. Adulteration and misbranding of poultry food. U. S. \* \* \* v. The Midland Poultry Food Co., a corporation. Plea of guilty. Fine, \$6 and costs. (F. & D. No. 7785. I. S. Nos. 20268-1, 20269-1, 20270-1.)**

On December 27, 1916, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Midland Poultry Food Co., a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 6, 1916 (three shipments), from the State of Missouri into the State of California, of quantities of an article labeled in part, "Midland Poultry Food," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	(1)	(2)	(3)
Total ash (per cent)_____	18.0	17.4	16.8
Ash, insoluble in 10 per cent HCl (Sand) (per cent)_____	14.8	12.8	12.6

The results of the analyses show that the product contains added sand.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, sand, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for poultry food, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Poultry Food," borne on the label attached to the sacks, regarding the article, was false and misleading in that it represented that said article consisted exclusively of poultry food, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted exclusively of poultry food, whereas, in truth and in fact, it did not, but consisted of a mixture composed in part of sand.

On December 30, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$6 and costs.

C. F. MABVIN, *Acting Secretary of Agriculture.*