

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2097.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF RICE.

On February 28, 1912, the United States Attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 bags of rice remaining unsold in the original unbroken packages and in possession of the H. T. Hackney Co. (Inc.), Jellico, Tenn., alleging that the product had been shipped on or about January 31, 1912, by the John S. Talmage Co. (Ltd.), New Orleans, La., and transported from the State of Louisiana into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act. Fifty bags of the product were labeled: "100 lbs. Domestic Honduras head rice coated with glucose and talc, remove by washing before using. 2084."

Misbranding of this portion of the product was alleged in the libel for the reason that the brand thereon was false and misleading, in that the product consisted of broken grains or screenings and not head rice. Twenty-five bags of the product were labeled: "Fancy Head 100 lbs. net rice, coated with glucose and talc, remove by washing before using. Domestic clk." Misbranding of this portion of the product was alleged for the reason that said label was false and misleading, in that the product consisted of a mixture of head rice and broken grains or screenings and did not consist of fancy head rice.

On April 12, 1912, the said John S. Talmage Co. (Ltd.), claimant, having consented thereto, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be released and delivered to said claimant upon payment of the costs of the proceeding and the execution of bond in the sum of \$250 in conformity with section 10 of the Act.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 11, 1912.*

