I. S. Nos. 2955-a and 10968-a. Issued April 7 1910.
F. & D. Nos. 593 and 761.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 250, FOOD AND DRUGS ACT.

MISBRANDING OF GLUTEN FLOUR AND GLUTEN FARINA.

On or about February 14, 1908, the Acme Mills Company, of Portland, Oreg., shipped from Oregon to California a consignment of a food product labeled "Gluten Farina" and on or about November 20, 1908, said company shipped from Oregon to Washington a consignment of a food product known as "Gluten Flour". Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analysts and reports thereon indicated that the products were misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the Acme Mills Company and the dealers from whom the samples were purchased opportunities for hearings. As it appeared after the hearings held that the said shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General with a statement of the evidence on which to base a prosecution.

In due course criminal informations were filed in the District Court of the United States for the District of Oregon, charging the above shipments, and that the products were misbranded within the meaning of the act, in that they were branded in a manner calculated and intended to represent to intending purchasers that gluten was the principal ingredient and constituent thereof, whereas in truth said food products contained but a very small percentage of nitrogenous matter and did not contain sufficient nitrogenous or glutinous properties to entitle them to the name gluten and did not contain more gluten than is found in ordinary whole wheat flour.

On February 18, 1910, said defendant entered a plea of guilty to each information and the court imposed upon it in each case a fine of $25.

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., *March 8, 1910.*

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