

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 404, FOOD AND DRUGS ACT.

### MISBRANDING OF CHICKEN FEED—"ALFACORN."

On or about February 1, 1909, the Capital Grain & Mill Company, a corporation, of Nashville, Tenn., shipped from said city to Raleigh, N. C., a certain quantity of an article of food in sacks of two sizes, to wit, 10 pounds and 100 pounds, labeled "Alfacorn Chicken Feed," said label containing the words "Guar. Analysis Protein (6.25 times nitrogen) 12%, Fat 3.5%, Fibre 12% (Guar. Clause) Serial No. 22122." Samples from the above shipment were procured and analyzed in the Bureau of Chemistry, United States Department of Agriculture. As the finding of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, said Capital Grain & Mill Company and the party from whom said samples were procured were afforded opportunities for hearings, and as it appeared after hearings held that the above shipment was made in violation of the aforesaid act, the Secretary of Agriculture reported the facts to the Attorney-General, together with a statement of the evidence upon which to base a prosecution.

In due course two criminal informations against the said Capital Grain & Mill Co. were filed in the District Court of the United States for the Middle District of Tennessee, one charging that the product put up in 10-pound sacks was misbranded because it contained only 2.56 per cent fat and 18.57 per cent crude fiber and that the label on said sacks was therefore false and misleading; the other charging that the product put up in 100-pound sacks was misbranded in that it contained only 2.92 per cent fat, 10.29 per cent protein, and 21.23 per cent crude fiber, and that the label on said sacks was therefore false and misleading.

The defendant upon arraignment entered a plea of guilty to both the above informations and the court imposed upon it a fine of \$75 in each case and the costs of prosecution.

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.*

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