

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 410, FOOD AND DRUGS ACT.

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### MISBRANDING OF CANNED CORN—"BEN HUR" BRAND.

#### SHORT WEIGHT.

On or about October 13, 1908, there were shipped from the State of Ohio into the State of Missouri 110 cases of canned corn, labeled "Ben Hur" brand. Samples of this product were procured and examined by the Bureau of Chemistry of the United States Department of Agriculture, and as the findings 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, and liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Missouri.

In due course libel was filed against the said 110 cases of canned corn, charging that each of said 110 cases was labeled "Two dozen 2-lb. Ben Hur Brand Sugar Corn, Packed by the Atlantic Canning Co., Atlantic, Iowa." when in truth and in fact the average weight per can was  $24\frac{1}{2}$  ounces, and that said cases were therefore misbranded in violation of section 8 of the above act, and praying condemnation and forfeiture of said 110 cases.

On May 24, 1909, no response or answer having been filed to the libel, the case came on for final hearing and the court rendered its decree, sustaining the allegation above set forth, condemning and forfeiting to the United States the said cases, and ordering their sale by the marshal of said court on June 25, 1909.

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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