

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 848, FOOD AND DRUGS ACT.

ADULTERATION OF "MACLAREN'S IMPERIAL CHEESE."

On or about October 10 and October 14, 1908, the MacLaren Imperial Cheese Company, Limited, a corporation, Detroit, Mich., shipped two consignments of cheese, the one on the former date from the State of Michigan into the State of Massachusetts, and the one on the latter date from the State of Michigan into the State of Illinois, the product being labeled: "MacLaren's Imperial Cheese. Contains 1/10 of 1 per cent Borate. Mould does not impair contents. Keep in a cool place. Trade mark registered. MacLaren's Imperial Cheese Company, Ltd., Detroit, Mich., Toronto, Canada." Samples from the above shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and were found to contain respectively 0.113 per cent and 0.156 per cent boric acid (H_3BO_3). As the findings of the analyst and report made indicated that the product was adulterated within the meaning of the act, the said MacLaren's Imperial Cheese Company, Limited, and the parties from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the above 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 upon which to base a prosecution.

On May 10, 1909, criminal informations were filed in the District Court of the United States for the Eastern District of Michigan against the said MacLaren's Imperial Cheese Company, Limited, based on each of the above shipments, charging the shipments and alleging the product to be adulterated in that it contained an added poisonous and deleterious ingredient, to wit, one-tenth of 1 per cent

borate, which by its presence in said food product rendered or might render the said article injurious to health.

On February 1, 1911, the defendant company appeared by its president and entered a plea of nolo contendere to the above informations, whereupon the court imposed a fine of \$10, being \$5 for each shipment.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *April 25, 1911.*

