

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1671.

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

MISBRANDING OF CHEESE.

On April 9, 1912, the United States Attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Michael Fitzgerald, Watertown, Wis., alleging shipment by him, in violation of the Food and Drugs Act, on or about May 25, 1911, from the State of Wisconsin into the State of Missouri, of a consignment of cheese which was misbranded. The product was labeled: (On case) "129/15 Scheitlin & Hofmann, St. Louis, Mo." (On unit packages) "Double Cream Charm Brand Brick Cheese Scheitlin & Hofmann, Sole Agents—St. Louis."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Water, 39.61 per cent; fat, 33.77; proteins, 20.61; ash, 4.20; undetermined, 1.81; total 100; total solids, 60.39; per cent fat in solids, 55.91. Misbranding was alleged in the information for the reason that the label and brand on the product was false and misleading, in that it created the impression that the product was richer in fat than whole milk (cheese), whereas in truth and in fact it contained but a slight percentage of fat ordinarily found in the whole milk cheese, and to which little or any cream had been added, and the label for that reason was false, misleading, and deceptive.

On April 16, 1912, the defendant entered a plea of guilty and the court imposed a fine of \$10.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 19, 1912.*