

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2063.

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

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### MISBRANDING OF FISH.

On July 6, 1912, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Louis Maull Cheese & Fish Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 16, 1911, from the State of Missouri into the State of Oklahoma, of a quantity of fish which was misbranded. The product was labeled: "Flat Lake Fish, formerly called Family White Fish, Louis Maull, St. Louis, Mo."

Examination of a sample of the product by the Bureau of Chemistry of this Department showed that the contents of the package were small fish of the lake herring species (*Leucichthys*), decapitated, split, and preserved in brine. Misbranding of the product was alleged in the information for the reason that the label upon the pail containing the product, viz, "Flat Lake Fish, Formerly called Family White Fish," was false and misleading, for the reason that said fish were not flat lake fish, and were not formerly called family white fish, but were small lake herring. Said product was further misbranded in that it was labeled and branded as aforesaid, so as to mislead and deceive the purchaser into the belief that the product was flat lake fish, formerly called family white fish, when in truth and in fact it was not flat lake fish, and was not formerly called family white fish, but was small lake herring.

On September 17, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$20 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *December 4, 1912.*