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Issued June 28, 1910.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 431, FOOD AND DRUGS ACT.

MISBRANDING OF CHEESE.

On or about March 18, 1908, the Muscatine French Cheese Company, a corporation, Wilton Junction, Iowa, shipped from the State of Iowa to the State of Illinois a quantity of cheese labeled "Fromage de Brie Trade Mark Circle X Brand." Samples from this shipment were procured and examined by the Bureau of Chemistry, 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, the said Muscatine French Cheese Company, and the dealer from whom the samples were procured, were afforded opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence on which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Southern District of Iowa charging the above shipment and that the product was misbranded within the meaning of said act, in that its label above quoted was such as to deceive and mislead the purchaser and to cause said purchaser to believe the product to be a French cheese known as Fromage de Brie, when, as a matter of fact and in truth, it was a cheese of domestic origin manufactured within the State of Iowa.

On October 7, 1909, the defendant filed a plea of guilty to the above information and the court imposed a fine of $10 and costs.

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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