

**7015. Adulteration and misbranding of cheese. U. S. \* \* \* v. Frank Hoover and Merton J. Hoover (F. Hoover & Son). Pleas of guilty. Fine, \$50. (F. & D. No. 9306. I. S. No. 3854-p.)**

On November 20, 1918, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank Hoover and Merton J. Hoover, copartners, trading under the firm name and style of F. Hoover & Son, Sterlingville, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 17, 1918, from the State of New York into the State of Massachusetts, of a quantity of an article, to wit, cheese, labeled in part "Whole Milk," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Solids-----	43.93
Water-----	56.07
Fat-----	16.47
Nitrogen-----	3.27
Protein (N×6.25)-----	20.43
Fat (water-free basis)-----	37.49
Fat: Protein — 1:1.2.	

Analysis shows this product to be made from partly skimmed milk.

Adulteration of the article was alleged in the information for the reason that a product prepared from skimmed milk or partly skimmed milk had been substituted in whole or in part for whole milk cheese, which the article, by its invoice of sale, purported to be.

Misbranding of the article was alleged in substance for the reason that the statement, to wit, on shipping case, "Whole Milk," was false and misleading in that it purported that said article was prepared from whole milk and was a whole milk cheese, and for the further reason that it was labeled as afore-said so as to deceive and mislead the purchaser into the belief that the same was prepared from whole milk and was a whole milk cheese, whereas, in truth and in fact, it was not a whole milk cheese, but was a cheese prepared from skimmed, or partly skimmed, milk.

On January 6, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL,  
*Acting Secretary of Agriculture.*

**7016. Adulteration and misbranding of banana liqueur. U. S. \* \* \* v. Fialla & Eppler, Inc., a corporation. Plea of guilty. Fine, \$250. (F. & D. No. 9307. I. S. No. 2006-p.)**

On December 13, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fialla & Eppler, Inc., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 22, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "Triangle Brand Bananowa Style Banana Liqueur, Produced exclusively by Fialla & Eppler, Inc., New York," which was adulterated and misbranded.