

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2432.

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

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**U. S. v. 145 Boxes Print Cheese. Judgment of condemnation. Goods released on bond.**

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### MISBRANDING OF CHEESE.

On or about May 22, 1911, the United States Attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 145 boxes of Print cheese and 100 boxes of Daisy cheese, remaining unsold in the original unbroken packages and in possession of the Goyer Co., Greenville, Miss., alleging that the product had been shipped on or about May 9, 1911, by A. H. Barber & Co., Chicago, Ill., and transported from the State of Illinois into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act. The Print cheese was labeled: "Barbers Superlative Creamlets, Pound Cuts, Contain all the Cream." The Daisies were labeled: "Superlative Full Cream Cheese, A. H. Barber & Co., Chicago, Ill." and in addition there were upon each of the boxes of Daisies penciled figures indicating the net weight of the cheese contained therein.

Misbranding of the product was alleged in the libel for the reason that the Print cheese was branded and labeled as aforesaid, and none of the boxes contained one pound cuts of cheese, and the boxes of Daisy cheese were misbranded for the reason that none of the cheeses therein weighed as much as they were represented by said labels to weigh, the branding of both products being such as to mislead purchasers.

On June 11, 1911, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be released and delivered to said Goyer Co., claimant, upon payment of the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the Act.

B. T. GALLOWAY,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 16, 1913.