

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 562, FOOD AND DRUGS ACT.

MISBRANDING OF NEUFCHATEL CHEESE.

On or about June 21, 1909, the P. E. Sharpless Company, a corporation, Philadelphia, Pa., shipped from the State of Pennsylvania to the State of New Jersey a package which contained a certain article of food and was labeled: "Neufchatel Cheese. P. E. Sharpless Co., Philadelphia. Absolutely Pure Fresh Daily. Main office, Philadelphia, Pa."

Samples of this product were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report thereon that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded said P. E. Sharpless Company and the dealer from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said 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 upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Pennsylvania against the said P. E. Sharpless Company, charging the above shipment and alleging that the product was misbranded, in that the said package containing the said cheese bore a statement which was false and misleading, because it purported that the said cheese was Neufchatel cheese, when in truth and in fact it was not Neufchatel cheese.

On March 18, 1910, the defendant entered a plea of guilty and the court imposed a fine of \$10.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., August 17, 1910.

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