

Issued July 15, 1911.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 952, FOOD AND DRUGS ACT.

MISBRANDING OF PRESERVES—"L. P. C." BRAND.

On or about December 24, 1909, the Goodwin Preserving Company, a corporation, Louisville, Ky., shipped from the State of Kentucky into the State of Arkansas a quantity of two varieties of preserves, both of which were labeled: "'L. P. C.' Brand Preserves—mixed with glucose—Apple Jelly. Louisville Preserving Co., Louisville, Ky." In addition to this label the products each bore a neck label, reading in one case: "Peach" and in the other "Blackberry." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and both products were found to contain added phosphoric acid. As the findings of the analyst and report thereon indicated that the above products were misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said Goodwin Preserving Company and the party from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the above 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 Western District of Kentucky against the said Goodwin Preserving Company, charging the above shipment and alleging the products in question to be misbranded because they were labeled as above set forth, which labels purported to state the ingredients of said products, but did not do so, as the products in question contained phosphoric acid, which had been added thereto and which ingredient was not named or mentioned upon said labels.

On March 8, 1911, the defendant entered a plea of guilty to the above information, whereupon the court imposed a fine of \$25 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., *June 13, 1911.*

