

Issued January 25, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1245.

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

MISBRANDING OF EVAPORATED APPLES.

On July 21, 1911, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against Hofmann Bros. Produce Co., a corporation, St. Louis, Mo., alleging shipment by it, in violation of the Food and Drugs Act, on or about June 18, 1910, from the State of Missouri into the State of Alabama of a consignment of evaporated apples, which was misbranded. The product was labeled: "Eureka Choice Evaporated Apples Carefully Selected Choice Winter Apples Made from the very best selected apples, sulphur bleached—No. 12."

Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Cores, skins, seeds, and other inedible substances, 7.4 per cent; fragments, 14.8 per cent; sound and good sized pieces, 77.8 per cent. Misbranding was alleged for the reason that the statements on the label of said product created the impression and led the purchaser thereof to believe that said product was first quality, and prepared from choice, carefully selected apples, peeled and cored, and that said product was of the highest grade, and conformed to the commercial standard for such article, when in fact said product did not consist of and was not prepared from choice, carefully selected apples, peeled and cored, but consisted to a large extent of cores, skins, seeds, and fragments of apple.

On September 18, 1911, the defendant entered a plea of guilty and was fined \$10 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 8, 1911.*

