

**5222. Misbranding of evaporated apples. U. S. \* \* \* v. J. W. Teasdale & Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7602. I. S. Nos. 11013-1, 11035-1, 11129-1, 11137-1, 11012-1.)**

On October 14, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. W. Teasdale & Co., a corporation, doing business at St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 26, 1915 (2 shipments), and November 11, 1915, from the State of Missouri into the State of Louisiana, and on or about September 11, 1915, and November 5, 1915, from the State of Missouri into the State of Texas, of quantities of evaporated apples which were misbranded. The article was variously labeled in part: "Banner Brand New York State Style (or "Crown and Monarch Brand" or "Our Own Special Brand," as the case might be) "Dried or Evaporated Product of Apples \* \* \*" (or "Evaporated or Dried Product of Apples \* \* \*").

Misbranding of the article in each shipment was alleged in the information for the reason that it consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 6, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*