

**5134. Adulteration and misbranding of pepper. U. S. \* \* \* v. C. F. Blanke Tea & Coffee Co., a corporation. Plea of guilty. Fine, \$60. (F. & D. No. 7433. I. S. Nos. 13820-k, 13825-k, 14817-k.)**

On September 20, 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 the C. F. Blanke Tea & Coffee Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 15, 1914, February 19, 1915, and February 27, 1915, from the State of Missouri into the State of Illinois, of quantities of pepper which were adulterated and misbranded. The first shipment was labeled in part: "\* \* \* Strictly Pure Black Pepper \* \* \*"; the second shipment was labeled in part: "\* \* \* Pure Black Pepper \* \* \*"; the third shipment was labeled in part: "\* \* \* Strictly Pure Spices Black Pepper \* \* \*"

Analysis of a sample of the article in each shipment, by the Bureau of Chemistry of this department indicated that it contained added pepper shells.

Adulteration of the article in each shipment was alleged in the information for the reason that pepper shells had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for strictly pure black pepper (or pure black pepper), which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein borne on the labels, to wit, "Strictly Pure Black Pepper" (or "Black Pepper," or "Strictly Pure Spices Black Pepper," as the case might be), was false and misleading in that it indicated to the purchasers thereof that the said article was strictly pure black pepper (or pure black pepper), and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was strictly pure black pepper (or pure black pepper), when, in truth and in fact, it was not, but was, to wit, a mixture of black pepper and added pepper shells. Misbranding was alleged for the further reason that the article was, to wit, a mixture of black pepper and added pepper shells, and was offered for sale under the distinctive name of another article, to wit, strictly pure black pepper (or pure black pepper).

On October 27, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$60.

*CARL VROOMAN, Acting Secretary of Agriculture.*