or usual name of each ingredient; and, Section 403 (k), the paprika contained artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: June 26, 1945. A plea of guilty having been entered, the court sentenced the defendant to serve 30 days in jail.

9162. Adulteration of black pepper and imitation lemon flavor, and adulteration and misbranding of ground cinnamon. U. S. v. Lewis I. Temkin (La Salle Mfg. Co.). Plea of nolo contendere. Fine, $1,000. (F. D. C. No. 15503. Sample Nos. 40360–F, 59722–F, 66610–F, 68018–F, 80035–F, 80642–F.)

INFORMATION FILED: May 23, 1945, Northern District of Illinois, against Lewis I. Temkin, trading as the La Salle Mfg. Co., Chicago, Ill.

ALLEGED SHIPMENT: Between the approximate dates of November 29, 1943, and April 12, 1944, from the State of Illinois into the States of Ohio, Wisconsin, Michigan, and Missouri.

LABEL, IN PART: "Florence Nightingale * * * Pure Ground Black Pepper [or "Pure Ground Cinnamon"]," and "Cook's Pride Imitation Lemon Flavor."

NATURE OF CHARGE: *Pepper.* Adulteration, Section 402 (b) (2), substances, one of which consisted of ground, delinted cottonseed hulls, soybean meal, and ground black pepper, and the other of which consisted of ground buckwheat, buckwheat hulls, and ground black pepper, had been substituted in whole or in part for pure ground black pepper, which the article was represented to be; and, Section 402 (b) (4), ground, delinted cottonseed hulls and soybean meal, or ground buckwheat and buckwheat hulls, had been added to or mixed or packed with pure ground black pepper so as to reduce its strength and quality.

Cinnamon. Adulteration, Section 402 (b) (2), substances, one consisting of seed meal and ground cinnamon, and the other consisting of seed meal, wheat starch, and ground cinnamon, had been substituted in whole or in part for pure ground cinnamon, which the article was represented to be; and, Section 402 (b) (4), seed meal alone, or seed meal and wheat starch, had been added to or mixed or packed with pure ground cinnamon so as to reduce its quality or strength. Misbranding, Section 403 (e) (2), the label on a portion of the article failed to bear an accurate statement of the quantity of the contents because the packages of that portion contained less than "1 Oz. Avd.," as was declared on the label; and, Section 403 (d), the containers of the article were so made, formed, and filled as to be misleading in that each container was filled to but 47 percent or 50 percent of capacity.

Lemon flavor. Adulteration, Section 402 (b) (2), a substance with a faint odor of lemon and having little or no value as a flavoring had been substituted for imitation lemon flavor, which the article was represented to be; and, Section 402 (b) (4), water had been added to the article or mixed or packed with it so as to reduce its quality and strength.

DISPOSITION: September 26, 1945. The defendant having entered a plea of nolo contendere, the court imposed a fine of $125 on each count, a total fine of $1,000.

9163. Adulteration and misbranding of black pepper. U. S. v. 326 Packages of Black Pepper. Consent decree of condemnation and destruction. (F. D. C. No. 15809. Sample No. 217–H.)

LIBEL FILED: April 10, 1945, Western District of North Carolina.

ALLEGED SHIPMENT: On or about March 1, 1945, by the General Products Co., from Albany, Ga.

PRODUCT: 326 packages, each containing 2 ounces, of black pepper.

LABEL, IN PART: (In large, bold type) "Black Pepper"; (in smaller type) "Decortication"; (in still smaller type) "with buckwheat middlings added."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, pepper, had been in whole or in part omitted from the product; and, Section 402 (b) (2), a mixture of buckwheat hulls, bran, and flour with pepper shells had been substituted in whole or in part for black pepper.

Misbranding, Section 403 (a), the prominent label statement, "Black Pepper," was false and misleading as applied to a product consisting of a mixture of buckwheat hulls, bran, and flour with pepper shells, despite the inconspicuous statement, "Decortication with buckwheat middlings added."

DISPOSITION: May 9, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.