

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of live insects and mold.

**DISPOSITION:** March 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10876. Adulteration of ground marjoram. U. S. v. 1 Bag \* \* \*. (F. D. C. No. 19109. Sample No. 21581-H.)**

**LIBEL FILED:** February 12, 1946, District of Nebraska.

**ALLEGED SHIPMENT:** On or about December 28, 1945, by the Kearns and Smith Spice Co., from Chicago, Ill.

**PRODUCT:** 1 100-pound bag of ground marjoram at Omaha, Nebr.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of sand and dirt.

**DISPOSITION:** April 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10877. Adulteration of brown mustard seed. U. S. v. 674 Bags \* \* \*. (F. D. C. No. 19274. Sample No. 9926-H.)**

**LIBEL FILED:** March 1, 1946, Western District of New York.

**ALLEGED SHIPMENT:** On or about April 30, 1945, from Spokane, Wash.

**PRODUCT:** 674 100-pound bags of brown mustard seed at Buffalo, N. Y., in possession of Terminal and Transportation Warehouse, Merchants Refrigerating Co. Division. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 6, 1946. The Merchants Refrigerating Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

**10878. Adulteration of imitation black pepper. U. S. v. 62 Cartons \* \* \*. (F. D. C. No. 19443. Sample Nos. 1368-H, 1369-H.)**

**LIBEL FILED:** March 22, 1946, Southern District of Georgia.

**ALLEGED SHIPMENT:** On or about July 25 and 31, 1945, by McCormick and Co., Inc., from Baltimore, Md.

**PRODUCT:** 18 10-pound cartons, 23 6-pound cartons, and 21 5-pound cartons of imitation black pepper at Brunswick, Ga. Examination showed that the product contained beetles and larvae.

**LABEL, IN PART:** "Banquet Brand Imitation Ground Black Pepper."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance.

**DISPOSITION:** April 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10879. Adulteration of imitation white pepper. U. S. v. 31 Cartons \* \* \*. (F. D. C. No. 18361. Sample No. 948-H.)**

**LIBEL FILED:** On or about November 13, 1945, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about August 26, 1945, by the Warren Co., from Farmington, Minn.

**PRODUCT:** 31 cartons, each containing 12 1-pound bags, of imitation white pepper at Miami, Fla.

**LABEL, IN PART:** "Imitation White Pepper \* \* \* Packed by The Bleecker Company Farmington, Minn."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and cast skins.

**DISPOSITION:** January 14, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

**10880. Adulteration of ground, dried red peppers. U. S. v. 298 Barrels \* \* \*.**  
(F. D. C. No. 18504. Sample No. 16145-H.)

**LABEL FILED:** December 20, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about October 4, 1945, by Young and Patterson, from Timmons ville, S. C.

**PRODUCT:** 298 barrels, each containing 100 pounds, of ground, dried red peppers at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy peppers.

**DISPOSITION:** September 19, 1946. Young and Patterson, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for conversion into pepper oil, under the supervision of the Federal Security Agency.

**10881. Adulteration of poppy seed. U. S. v. 1 Bag \* \* \*.** (F. D. C. No. 18350. Sample No. 7304-H.)

**LABEL FILED:** On or about November 9, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about June 21, 1945, by A. Gronowitz, Inc., from New York, N. Y.

**PRODUCT:** 1 bag containing approximately 135 pounds of poppy seed at Elizabeth, N. J. Examination showed that the product was white poppy seeds artificially colored with logwood. The artificially colored white poppy seeds simulated in appearance blue-colored poppy seeds, which have a greater commercial value.

**LABEL, IN PART:** (Bag) "British India Poppy Seed Artificially Colored with Vegetable Extract."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (3), inferiority had been concealed by the addition of logwood, an artificial color; and, Section 402 (b) (4), logwood had been added to the article so as to make it appear better or of greater value than it was.

**DISPOSITION:** December 28, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10882. Adulteration and misbranding of Sicilia Flavor and Green Leaf Shade and Grassos coal-tar colors. U. S. v. 1 5-gallon Can, etc. (and 4 other seizure actions).** (F. D. C. Nos. 14870, 14882, 15056, 15095, 15098. Sample Nos. 20383-F, 63822-F, 87139-F, 88095-F, 88096-F, 88563-F.)

**LABELS FILED:** Between the dates of December 26, 1944, and January 31, 1945, District of Massachusetts, Eastern District of Michigan, Southern District of Florida, and District of Rhode Island.

**ALLEGED SHIPMENT:** Between the approximate dates of April 22 and December 4, 1944, by David Kleckner and Sons, Inc., from Ozone Park, Long Island, N. Y.

**PRODUCT:** 7 gallons of Sicilia Flavor and 5 gallons of Green Leaf Shade color at Boston, Mass.; 4 gallons of Green Leaf Shade color at Detroit, Mich.; 1 pound of Grassos color at Tampa, Fla.; and 22 pounds of Green Leaf Shade color at Providence, R. I. These products were coal-tar colors and flavors containing coal-tar colors. With the exception of the "Tipo Grassos," they contained Butter Yellow (Colour Index No. 19), an uncertifiable dye, and D&C Green No. 6, a coal-tar color which cannot be certified for use in foods. The "Tipo Grassos" contained a coal-tar color made by combining aniline with resorcinol, pyrogallol, or hydroquinone. No such color is certifiable under the provisions of the law.

**LABEL, IN PART:** "Tipo Sicilia Flavor," "Kleckner's Kolor Green Leaf Shade," "Kleckner's Sicilia Ollo Flavor," "Kleckner Olo Green Leaf Shade," or "Kleckner's Tipo Grassos."