SPICES, FLAVORS, AND SEASONING MATERIALS

26948. Mustard seed and shelled peanuts. (F.D.C. No. 44333. S. Nos. 17-911/2 P.)

INFORMATION FILED: 7-19-60, M. Dist. Tenn., against American Tea & Coffee Co., Inc., Nashville, Tenn., and Marvin R. Bubis, secretary-treasurer of the corporation.

ALLEGED VIOLATIONS: Between 4-8-59 and 10-30-59, the defendants caused quantities of mustard seed and shelled peanuts, while held for sale after shipment in interstate commerce, to be held in a building accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained rodent urine, rodent excreta, and rodent hairs; and 402(a)(4)—held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 12-1-60. Corporation fined $500, of which $250 was suspended; individual placed on probation for 2 years.

26949. Monosodium glutamate. (F.D.C. No. 44208. S. No. 90-961 P.)

QUANTITY: 2 100-lb. drums at Needham Heights, Mass.

SHIPPED: 12-22-59, from Paterson, N.J.

LIBELED: 1-27-60, Dist. Mass.

CHARGE: 402(b)(2)—while held for sale, 10 percent or more of salt had been substituted in part for monosodium glutamate; and 402(b)(4)—salt had been added to the article so as to increase its bulk or weight and reduce its quality or strength.

DISPOSITION: 4-26-60. Default—destruction.

26950. Black pepper. (F.D.C. No. 43702. S. Nos. 6-186 P, 15-821 P.)

INFORMATION FILED: 2-15-60, E. Dist. N.Y., against Safe Owl Products, Inc., Brooklyn, N.Y.

SHIPPED: Between 8-14-58 and 1-12-59, from New York to Ohio and Maryland.

LABEL IN PART: (Can) "Safe Owl Finer Foods Pure Black Pepper Safe Owl Products, Inc. Brooklyn, N.Y. Manufacturer 1 Lb. Net. [1 Oz. Net or 4 Oz. Net or 8 Oz. Net]," and "Flagstaff Brand Pure Black Pepper Net 1¼ Oz. Distributors Flagstaff Foods Perth Amboy, N.J."

CHARGE: 402(b)(2)—ground buckwheat hulls had been sustituted in whole or in part for black pepper; and 402(b)(4)—ground buckwheat hulls had been added to the article or mixed or packed with it so as to increase its bulk or weight and reduce its quality; 403(a)—the label statement "Pure Black Pepper" was false and misleading as applied to an article which also contained ground buckwheat hulls; and 403(e)(2)—a portion of the article failed to bear a label containing an accurate statement of the quantity of contents—the article in the cans labeled "1¼ Oz." was short weight.

PLEA: Guilty.

DISPOSITION: 10-20-60. $1,000 fine.