SPICES, FLAVORS, AND SEASONING MATERIALS

13474. Adulteration of black pepper. U. S. v. Belmont Food Distributors, a partnership, and Irving G. Feinberg and Miriam C. Feinberg. Pleas of guilty. Fine, $100, plus costs. (F. D. C. No. 22000. Sample No. 35586–H.)

INFORMATION FILED: July 29, 1947, Northern District of Illinois, against Belmont Food Distributors, a partnership, Chicago, Ill., and Irving G. Feinberg and Miriam C. Feinberg, partners.

ALLEGED SHIPMENT: On or about September 12, 1946, from the State of Illinois into the State of Tennessee.

LABEL, IN PART: "Damore Brand Pure Black Pepper 10¢ Packed By Damore Spice Company Nevada 3502 Chicago 24, Illinois."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), wheat flour, ground soya bean hulls, and cottonseed hulls had been substituted in part for black pepper; and, Section 402 (b) (4), wheat flour, ground soya bean hulls, and cottonseed hulls had been added to the product and mixed and packed with it so as to increase its bulk and weight and reduce its quality and strength.

DISPOSITION: November 25, 1947. Pleas of guilty having been entered, a fine of $100, together with costs, was imposed against the defendants jointly.

13475. Adulteration and misbranding of black pepper. U. S. v. Albert B. Koblank. Plea of guilty. Fine, $500. (F. D. C. No. 23224. Sample Nos. 42722–H to 42724–H, incl., 42727–H to 42729–H, incl., 42739–H, 90501–H.)

INFORMATION FILED: October 22, 1947, Eastern District of Pennsylvania, against Albert B. Koblank, Philadelphia, Pa.

ALLEGED SHIPMENT: On or about October 15, 16, 19, 23, 25, 26, 29, and 30, 1946, from the State of Pennsylvania into the State of Maryland.

LABEL, IN PART: "Pure Black Pepper ¾ oz. or over Packed For Anchor Dist. Co. Philadelphia, Pa."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of buckwheat hulls, buckwheat middlings, salt, and flavor, with little or no black pepper, in a portion of the product, and a mixture of foreign materials, including starch and salt, with little or no black pepper, in the remainder of the product, had been substituted for black pepper.

Misbranding, Section 403 (a), the label statements "Pure Black Pepper" and "Black Pepper" were false and misleading, since they represented and suggested that the article consisted of black pepper, whereas it did not consist of black pepper.

DISPOSITION: January 12, 1948. A plea of guilty having been entered, the court imposed a fine of $500.

13476. Adulteration and misbranding of black pepper. U. S. v. 63 Cards * * * (and 1 other seizure action). (F. D. C. Nos. 21977, 22174. Sample Nos. 2085–H, 64653–H.)

LIBELS FILED: December 17, 1946, and January 10, 1947, District of Columbia and District of Connecticut.

ALLEGED SHIPMENT: On or about November 5 and 12, 1946, by the Comegys Food Co., from Philadelphia, Pa.

PRODUCT: 63 cards and 33 cards of black pepper at Washington, D. C., and Bridgeport, Conn., respectively. Each card contained 12 ¾-ounce envelopes.

LABEL, IN PART: (Card) "Comegys * * * A Compound of Black Pepper"; (envelope) "Ingredients Contains pepper, buckwheat, farina, wheat flour, salt, oil of cubeb, oleoresin of capsicum, Cereal Base. * * * A Compound of Black Pepper." The words "Black Pepper" were printed in large letters, and the words "A Compound of" and the ingredient statement were printed in very small type.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing foreign materials including starch and salt, but little, if any, pepper, had been substituted for black pepper.

Misbranding, Section 403 (a), the label statement "Black Pepper" was false and misleading.

DISPOSITION: February 20 and 21, 1947. Default decrees of condemnation and destruction.