

## United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 164, FOOD AND DRUGS ACT.

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#### MISBRANDING OF PEPPER.

In accordance with the provisions of the Food and Drugs Act of June 30, 1906, and of Regulation 6 of the Rules and Regulations for the enforcement of the Act, notice is given that on the 26th day of April, 1909, in the District Court of the United States for the Western District of Missouri, a judgment was entered in the case of the United States against Charles Spies and V. M. Seiter, trading as Charles Spies & Co., a prosecution for a violation of section 2 of the aforesaid Act upon an information in substance charging said defendants with having shipped and delivered for shipment, from the State of Missouri to the State of Kansas, four dozen boxes of an article labeled: "Blankes strictly pure black pepper. C. F. Blanke & Co., St. Louis, U. S. A." "The spice in this package is ground of well selected stock and guaranteed strictly pure," which was adulterated and misbranded in that the contents of said boxes were represented as pepper, when in fact they were a mixture of pepper and olive pits. The defendants pleaded guilty and were fined \$25.00.

The facts which led to the filing of the information were as follows:

An inspector of the United States Department of Agriculture purchased from the Rotert Grocery Co., at Kansas City, Kansas, a sample of the article labeled as above described which had been shipped to said dealer from Kansas City, Missouri, by the defendant herein. The sample was analyzed in the Bureau of Chemistry of the United States Department of Agriculture and found to be a mixture of black pepper and olive pits. The said Charles Spies and the said V. M. Seiter were duly notified that said article was adulterated and misbranded and were given an opportunity to be heard and were heard in regard to said charges and it appearing that there had been a vio-

lation of the Act the facts were reported on October 5, 1908, by the Secretary of Agriculture to the Attorney General and the case referred to the United States Attorney for the Western District of Missouri, who filed the above information with the result hereinbefore stated.

JAMES WILSON,  
*Secretary of Agriculture.*

JANUARY 15, 1910.

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