

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 288, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF BLACK PEPPER.

On or about March 4, 1907, and May 17, 1907, respectively, the Calumet Tea & Coffee Company, Chicago, Ill., shipped from the State of Illinois to the State of Montana consignments of a food product known as "Black Pepper." Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report made thereon that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the Calumet Tea & Coffee Company, and the dealers from whom samples were purchased, opportunities for hearings. As it appeared after hearings held that the said shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, with a statement of the evidence upon which to base a prosecution. In due course a criminal information was filed in the District Court of the United States for the Northern District of Illinois, charging the above shipments and alleging that the product was adulterated within the meaning of the act, in that there had been mixed and packed with it, in a manner to reduce, lower, and injuriously affect its quality and strength, a wheat product, capsicum, and fruit shells, and said substances had been substituted in part for the genuine food product; and was misbranded, in that it was labeled "Spices, Pepper, Calumet Tea & Coffee Co., Chicago," which statement was false and misleading, in that the product was not pepper, but was, in fact, a mixture of ground black pepper and wheat, capsicum, and fruit shells.

To this information the defendant filed a demurrer, and, subsequently, on December 31, 1909, entered a plea of guilty, and the court imposed upon it a fine of \$50.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *April 14, 1910.*