

4468. Adulteration and misbranding of pepper. U. S. * * * v. 2 Barrels and 52 Cartons * * * of Pepper. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 6525. I. S. Nos. 14740-k, 14741-k. S. No. C-223.)

On May 11, 1915, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels and 52 cartons of an article purporting to be pepper, remaining unsold in the original unbroken packages at Galesburg, Ill., alleging that the article had been shipped, on or about March 4, 1915, by the Woolson Spice Co., of Toledo, Ohio, and transported from the State of Ohio into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled, in part: "Pepper." The cartons were labeled: "Silver Crown Pepper."

It was alleged in the libel that the barrels and cartons did not contain pure black pepper, as the labels would indicate, but, in truth and in fact, contained, in whole or in part, a mixture of pepper and shells, which had been added to, and substituted for, pure black pepper in such a manner as to reduce and lower and injuriously affect its quality and strength, the same being prepared in imitation of pure black pepper and having been packed in imitation thereof, rendering the same adulterated. It was further alleged that within said mixture were certain substances substituted for pure black pepper whereby the same was misbranded in that the labeling of the barrels and cartons as containing pepper was false and misleading, and such as to mislead the purchaser and to enable the offering of the contents for sale as being pure black pepper, when, in truth and in fact, it was not.

On July 17, 1915, the said Woolson Spice Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*