

**NATURE OF CHARGE:** Adulteration (all lots), Section 402 (b) (2), a substance consisting of salt, ground shells, starch material, and pepper had been substituted in whole or in part for pure black pepper.

Misbranding (all lots except one), Section 403 (a), the designation "Pure Black Pepper" was false and misleading as applied to a mixture of salt, ground shells, starch material, and pepper.

**DISPOSITION:** October 7, 11, and 18, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**11835. Adulteration and misbranding of black pepper. U. S. v. 110 Cards \* \* \*. (F. D. C. No. 22298. Sample No. 65668-H.)**

**LIBEL FILED:** On or about February 26, 1947, District of New Jersey.

**ALLEGED SHIPMENT:** On or about July 12, 1946, by Charles DiGerolamo, from Philadelphia, Pa.

**PRODUCT:** 110 cards, each containing 12  $\frac{3}{4}$ -ounce packages, of black pepper at Somers Point, N. J.

**LABEL, IN PART:** "Santo Pure Black Pepper Packed by Santo Food Products Phila., Pa."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a mixture of salt, buckwheat hulls, a foreign starchy material, and ground pepper had been substituted in whole or in part for pure black pepper.

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

**DISPOSITION:** March 28, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11836. Adulteration and misbranding of black pepper. U. S. v. 94 Cards \* \* \*. (F. D. C. No. 21009. Sample No. 57418-H.)**

**LIBEL FILED:** September 20, 1946, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about August 20, 1946, by Emsco Food Products, from Boston, Mass.

**PRODUCT:** 94 cards, each containing 12  $\frac{3}{4}$ -ounce bags, of black pepper at Providence, R. I.

**LABEL, IN PART:** "Emsco Brand Black Pepper."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance consisting of salt, starch, and pepper had been substituted in whole or in part for black pepper.

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

**DISPOSITION:** November 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11837. Adulteration and misbranding of black pepper. U. S. v. 37 Cards \* \* \* (and 2 other seizure actions). F. D. C. Nos. 21208, 21221, 21251. Sample Nos. 1782-H, 1784-H, 54571-H.)**

**LIBELS FILED:** October 3, 16, and 24, 1946, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about August 23 and 27 and September 11, 1946, by the Gee Zee Food Products Co., from Chicago, Ill.

**PRODUCT:** 167 cards, each containing 24 1-ounce packages, of black pepper at Atlanta, Ga.

**LABEL, IN PART:** "Gee! Zee Finest Black Pepper."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance consisting of starches, containing little, if any, pepper, had been substituted in whole or in part for black pepper.

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

**DISPOSITION:** October 30 and December 10, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**11838. Misbranding of black pepper. U. S. v. 10 Cases \* \* \*. (F. D. C. No. 22285. Sample No. 91043-H.)**

**LIBEL FILED:** February 14, 1947, District of New Jersey.

**ALLEGED SHIPMENT:** On or about December 11, 1946, by the Food Trading Corp. of America, from Brooklyn, N. Y.

**PRODUCT:** 10 cases, each containing 144 bottles, of black pepper at Newark, N. J. Examination showed that the product was short-weight.

**LABEL, IN PART:** "Pure Black Pepper Cont.  $\frac{3}{4}$  oz. Dist. by B. F. S. Inc. Bklyn., N. Y."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** March 24, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable organizations.

**11839. Misbranding of black pepper. U. S. v. 96 Cards \* \* \*. (F. D. C. No. 22173. Sample No. 66023-H.)**

**LABEL FILED:** On or about January 17, 1947, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 27, 1946, by the DeCecco's Food Products Co., from Philadelphia, Pa.

**PRODUCT:** 96 cards, each containing 12  $\frac{1}{2}$ -ounce bags, of black pepper at Atlantic City, N. J. Examination showed that the product was short-weight.

**LABEL, IN PART:** "Pure Black Pepper  $\frac{1}{2}$  Oz. Net Wt."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement " $\frac{1}{2}$  Oz. Net Wt." was false and misleading.

**DISPOSITION:** February 7, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution after the destruction of the labels.

**11840. Adulteration of dried red peppers. U. S. v. 16 Bags \* \* \*. (F. D. C. No. 20622. Sample No. 49687-H.)**

**LABEL FILED:** August 9, 1946, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about October 30, 1945, by the C. B. Gentry Co., from Oxnard, Calif.

**PRODUCT:** 16 bags, each containing 200 pounds, of whole dried red peppers at Houston, Tex.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and insect excreta.

**DISPOSITION:** October 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### MISCELLANEOUS FOODS

**11841. Adulteration of horehound. U. S. v. 1 Bale \* \* \*. (F. D. C. No. 20224. Sample No. 12646-H.)**

**LABEL FILED:** June 7, 1946, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about November 3, 1945, by the Tenneva Hide & Fur Co., Bristol, Tenn.

**PRODUCT:** 1 202-pound bale of horehound at Boston, Mass.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs.

**DISPOSITION:** July 16, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11842. Misbranding of frozen hors d'oeuvres. U. S. v. 19 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 20581, 20711. Sample Nos. 5538-H, 57079-H.)**

**LABELS FILED:** August 2 and 9, 1946, District of Massachusetts and Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 7 and 18, 1946, by the General Froster Co., Inc., from Plainfield, N. J., and New York, N. Y.

**PRODUCT:** 19 cases, each containing 42 8-ounce cartons, and 144 8-ounce cartons of frozen hors d'oeuvres at Boston, Mass., and Philadelphia, Pa. The product consisted of bread, with layers of cheese, egg, meat, or fish between the pieces