

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cans contained less than the labeled amount.

**DISPOSITION:** April 15, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the goods be released under bond to be relabeled or otherwise brought into compliance with the law, under the supervision of the Food and Drug Administration.

## SPICES, FLAVORS, AND SEASONING MATERIALS

**19046. Adulteration and misbranding of black pepper. U. S. v. 141 Cans \* \* \***  
(F. D. C. No. 32615. Sample No. 15165-L.)

**LABEL FILED:** January 25, 1952, District of Nebraska.

**ALLEGED SHIPMENT:** On or about November 9, 1951, by the Arrow Spice & Food Co., from Dallas, Tex.

**PRODUCT:** 141 1-pound cans of black pepper at Lincoln, Nebr.

**LABEL, IN PART:** "Arrow Brand \* \* \* Pure Ground Black Pepper."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a mixture of black pepper, cottonseed hulls, salt, and capsicum had been substituted in whole or in part for pure black pepper; and, Section 402 (b) (4), cottonseed hulls, salt, and capsicum had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

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

**DISPOSITION:** May 23, 1952. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution.

**19047. Adulteration of imitation pepper. U. S. v. 2½ Cases, etc. (F. D. C. No. 32494. Sample Nos. 29351-L to 29353-L, incl., 29355-L.)**

**LABEL FILED:** On or about February 21, 1952, Western District of Washington.

**ALLEGED SHIPMENT:** Between the approximate dates of May 4 and August 10, 1951, by R. C. Pauli & Sons, from San Francisco, Calif.

**PRODUCT:** Imitation pepper. 2½ cases, each containing 24 16-ounce tubes; 1 case, containing 6 5-pound tubes; 1 barrel, containing approximately 88 pounds and 6 tubes, each tube containing 2 pounds; and 42 5-pound tubes, at Seattle, Wash.

**LABEL, IN PART:** (Portion) "Imitation Black Pepper" or "Tropic Brand \* \* \* Imitation Black [or "White"] Pepper."

**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 insects and insect parts.

**DISPOSITION:** May 7, 1952. Default decree of condemnation and destruction.

**19048. Adulteration of red chili pods. U. S. v. 66 Pounds \* \* \* (and 1 other seizure action). (F. D. C. Nos. 33091, 33092. Sample Nos. 14189-L, 14190-L.)**

**LABELS FILED:** May 8, 1952, District of Colorado.

**ALLEGED SHIPMENT:** On or about March 17 and 20, 1952, by F. C. Barker & Co., from Mesilla Park, N. Mex.

**PRODUCT:** 214 pounds of red chili pods at Denver, Colo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy chili pods.

**DISPOSITION:** July 8, 1952. Default decrees of condemnation and destruction.

## MISCELLANEOUS FOODS

**19049. Adulteration and misbranding of assorted canned and bottled fire-damaged food products. U. S. v. 466 Crates \* \* \*. (F. D. C. No. 33044. Sample No. 5950-L.)**

**LABEL FILED:** April 14, 1952, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about February 15 and 29, 1952, by the Triangle Sales Co., from Philadelphia, Pa.

**PRODUCT:** 466 crates of an assortment of canned and bottled food products.

**RESULTS OF INVESTIGATION:** Investigation revealed that these articles were salvaged from a fire-damaged warehouse at Philadelphia, Pa. Some of the articles were decomposed, and some were dirty. The labels on a portion of the containers had been torn, obliterated, or lost.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of dirty food products, and of a decomposed substance by reason of the presence of decomposed food products.

Misbranding, Sections 403 (e) (1) and (2), the products failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 403 (i) (1), the labels failed to bear the common or usual name of the foods; and, Section 403 (i) (2), the products were fabricated from two or more ingredients, and they failed to bear labels containing the common or usual name of each such ingredient.

**DISPOSITION:** May 12, 1952. The Triangle Sales Corp., of Lynn, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation and relabeling of the fit portion, under the supervision of the Federal Security Agency.

Segregation operations resulted in the destruction of 15 cartons of the products and the salvaging of 60 bottles of grape juice, 15 bottles of sirup, 750 cans of sardines, 50 cans of grapefruit sections, 100 cans of miscellaneous foods, and 250 jars of baby food.

**19050. Misbranding of noodle soup mix. U. S. v. 198 Cases \* \* \*. (F. D. C. No. 32138. Sample No. 30069-L.)**

**LABEL FILED:** November 29, 1951, Western District of Washington.

**ALLEGED SHIPMENT:** On or about October 5, 1951, by the I. J. Grass Noodle Co., from Chicago, Ill.