

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1614.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF PAPRIKA.

On February 8, 1912, the United States Attorney for the Southern District of Texas, 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 one barrel purporting and represented to contain pure paprika, remaining unsold in the original unbroken package within the premises of the Houston Packing Co., a corporation, Houston, Tex., alleging that the product had been shipped on or about October 10, 1911, by McCormick & Co., Baltimore, Md., and transported from the State of Maryland into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Pure Paprika imported and Packed by McCormick and Company, Baltimore, Md. Paprika 269-21-238. The spices contained in this package are strictly pure. (Guaranty legend No. 1417) McCormick and Co. Importers and Grinders Baltimore U. S. A. Paprika—3945-10-T and N. O. Houston 8-Houston Packing Co., Houston, Texas."

Adulteration was alleged in the libel for the reason that there had been added and mixed with the product coal-tar dye which detracted from the strength and value of said product. Misbranding was alleged for the reason that the product was labeled "Pure Paprika," whereas, in fact, it was artificially colored with coal-tar dye in a manner whereby inferiority was concealed, the container or label bearing no indication of the presence of any artificial coloring matter, the said coal-tar dye added as coloring matter being a cheaper substance and mixed in such a manner that the inferiority of the product

was concealed and with a purpose of imitating, and did imitate, pure paprika.

On March 1, 1912, no claimant having appeared for the product, which was found by the court to have been adulterated, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be sold by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *June 19, 1912.*

