

Issued May 13, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1324.

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

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### MISBRANDING OF SPAGHETTI AND MACARONI.

On March 3, 1911, the grand jurors of the United States within and for the Northern District of California, after presentation by the United States Attorney, acting upon a report of the Secretary of Agriculture, returned an indictment to the United States District Court for said district against Spiropoulos & Costalupes, alleging shipment by them, in violation of the Food and Drugs Act, on or about August 12, 1910, from the State of California into the State of Washington, of a consignment of spaghetti and macaroni which was misbranded. The products were labeled: "Pompei Macaroni Factory Qualita Extra. Promiati Fabbrica Di Paste Alimentari. Artificially colored 2981-2989 Folsom St., San Francisco, Cal." "Pompei Macaroni Factory Qualita Extra. Promiata Fabbrica Di Paste Alimentari Artificially colored 2981-2989 Folsom St., San Francisco, Cal."

The Bureau of Chemistry of the United States Department of Agriculture, upon examination of samples of these products and investigations, reported that they were manufactured in San Francisco, Cal. Misbranding was alleged for the reason that the labels above set forth created the impression that the products were of foreign origin and are therefore false and misleading and calculated to mislead and deceive the purchaser, for the reason that said products were not of foreign origin or manufacture, but were manufactured in the United States, to wit: at San Francisco, Cal.

On March 22, 1911, Costalupes pleaded guilty and was fined \$50.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 25, 1912.*