

5097. Adulteration of canned pork and beans. U. S. * * * v. 400 Cases * * * of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7336. I. S. No. 10140-1. S. No. C-484.)

On April 21, 1916, 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 400 cases, each containing 2 dozen cans, of pork and beans, consigned on January 5, 1916, and remaining unsold in the original unbroken packages at Quincy, Ill., alleging that the article had been shipped by Hart Bros., Saginaw, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The cans in 250 of the cases were labeled: "Buffalo Brand our extra quality Pork and Beans with tomato sauce, contents one pound twelve ounces." The cans in 150 of the cases were labeled: "Owl Brand Pork and Beans with tomato sauce, contents one pound twelve ounces."

The allegations in the libel were to the effect that the article was adulterated in that it consisted in part of partially decomposed beans, of which a portion of such partially decomposed beans were affected by anthracnose and the remainder consisted of blighted and ground-rot beans.

On July 5, 1916, no claimant having appeared for the property, 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.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*