

5979. Misbranding of beans. U. S. * * * v. 630 Cases * * * of Beans.
Product ordered released on bond. (F. & D. No. 8344. I. S. No. 1814-p.
S. No. E-863.)

On July 31, 1917, the United States attorney for the Western District of Virginia, 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 630 cases, each containing 4 dozen cans of beans, at Graham, Va., alleging that the article had been shipped on February 2, 1917, by D. E. Foote & Co., Baltimore, Md., and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Our Leader Brand Beans."

Misbranding of the article was alleged in the libel for the reason that it purported to be navy beans, when, in truth and in fact, it was not, but was soya beans.

On December 14, 1917, the said D. E. Foote & Co., claimant, having paid the costs of the proceedings and executed a bond in the sum of \$1,500, in conformity with section 10 of the act, it was ordered by the court that the product should be delivered to said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*