

4924. Adulteration of lentils. U. S. * * * v. 85 Bags of Lentils. Consent decree ordering destruction of portion of product and release of balance under bond. (F. & D. No. 7041. I. S. Nos. 11781-1, 11782-1, 10487-1, 10488-1, 11419-1. S. No. C-390.)

On November 17, 1915, the United States attorney for the Eastern District of Missouri, 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 85 bags, each containing approximately 100 pounds, of lentils, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about October 14, 1915, by the Ignatius Gross Co., New York, N. Y., and transported from the State of New York into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

The allegations in the libel were to the effect that the product was adulterated for the reason that it consisted in part of a filthy, decomposed, [and] putrid animal and vegetable substance.

On May 4, 1916, the said Ignatius Gross Co. having consented to the entry of a decree, it was ordered by the court that the product should be delivered to said claimant company which should have leave, under the superintendence, control, or direction of the Department of Agriculture to recondition the article and to remove therefrom such portion as might be unfit for human consumption; that such part of the lentils as might be separated from the mass and found by the officers of the Department of Agriculture to be fit for human consumption the said claimant should have leave to sell to be used as food; and that so much of the article as should prove unfit for human consumption should, under the direction of the officers of the Department of Agriculture, be duly destroyed. It was further provided that the officers of the Department of Agriculture should have the sole determination respecting the portion of the article, if any, which might be deemed fit for human consumption, and further that the claimant company should pay the costs of the proceedings and give bond in the sum of \$500, in conformity with section 10 of the act, conditioned for the faithful performance of the terms of the decree.

R. A. PEARSON, *Acting Secretary of Agriculture.*