

5602. Adulteration of pork and beans. U. S. * * * v. 200 Cases of Pork and Beans. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. No. 6564. I. S. No. 3560-k. S. No. E-28a.)

On May 26, 1915, the United States attorney for the Southern District of New York, 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 200 cases of pork and beans remaining unsold in the original unbroken packages at Newburgh, N. Y., alleging that the article had been shipped on or about September 29, 1914, by the Thomas Canning Co., Grand Rapids, Mich., and transported from the State of Michigan into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part "Rapids brand pork and beans * * *. Packed by Thomas Canning Co., Grand Rapids, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular, of a partially decomposed vegetable product, to wit, moldy beans.

On May 28, 1917, William F. Cassidy and John S. Bull, executors of Stephen M. Bull, deceased, claimants, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditional in part that the product should be reshipped to the said Thomas Canning Co., Grand Rapids, Mich., and should be sorted under the supervision of a representative of this department, the portion found unfit for food to be destroyed or denatured, and the good portion to be released to said claimants for food purposes.

C. F. MARVIN, *Acting Secretary of Agriculture.*