

**5638. Adulteration of pork and beans. U. S. \* \* \* v. 410 Cases Pork and Beans. Oceana Canning Co., claimant. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. Nos. 7339, 7341, 7356, 7361. I. S. Nos. 11368-1, 11366-1, 11369-1, 11367-1. S. Nos. C-488, C-486, C-495, C-500.)

On April 21, 1916 and April 26, 1916, the United States attorney for the Western District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 265 cases, 45 cases, and 100 cases of Canned Pork and Beans, consigned on March 27, 1916, by the Oceana Canning Co., Shelby, Mich., remaining unsold in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped and transported from the State of Michigan into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "Cupid Brand Pork and Beans. Select quality."

Adulteration of the article was alleged in the libels for the reason that it consisted of a partially decomposed vegetable substance.

On April 20, 1917, an order was entered by agreement of the parties, consolidating the cases filed under separate libels into one action, and on the same date the Oceana Canning Co., claimant, having withdrawn its answer and having elected to make no defence, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

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