

4279. Adulteration of canned pork and beans. U. S. * * * v. 365 Cases * * * of * * * Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6695. I. S. Nos. 16239-k, 16240-k. S. No. C-263.)

On July 3, 1915, the United States attorney for the Southern District of Ohio, 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 365 cases, 105 of which contained 48 cans, and 260 of which contained 24 cans, each, of pork and beans, remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the product had been shipped and transported from the State of Michigan into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The 105 cases and cans therein were labeled: "Contents 11 ounces.—Shepherd Brand Pork and Beans With Tomato Sauce.—Hart Brothers, Saginaw, Michigan." The 260 cases and cans therein were labeled: "Contents 1 pound 12 ounces.—Shepherd Brand Pork and Beans With Tomato Sauce.—Hart Brothers, Saginaw, Michigan."

Adulteration was alleged in the libel for the reason that the article of food contained, and in part consisted of, a decomposed vegetable substance.

On September 13, 1915, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*