

4806. Adulteration of confectionery. U. S. v. 1 Barrel of Jelly Beans.
Consent decree of condemnation, forfeiture, and destruction.
(F. & D. No. 2534. I. S. No. 12543-c. S. No. 908.)

On March 23, 1911, the United States attorney for the District of Rhode Island, 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 1 barrel of confectionery, purporting to be jelly beans, remaining unsold in the original unbroken package at Providence, R. I., alleging that the article had been shipped by the National Candy Co., doing business at Buffalo, N. Y., and transported from the State of New York into the State of Rhode Island, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was coated with and contained a certain mineral substance, to wit, talc.

On March 28, 1916, the cause having come on to be heard upon the libel and answer of the claimant, the National Candy Co. aforesaid, and it appearing to the court that the issues in the case had been determined by the decision of the Circuit Court of Appeals for the First Circuit, in the case of *U. S. v. 131 Boxes of Candy Eggs*, 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.