

**4805. Adulteration of confectionery. U. S. v. 1 Barrel of Cocoa Almonds.
Consent decree of condemnation, forfeiture, and destruction.
(F. & D. No. 2532. I. S. No. 12545-c. S. No. 909.)**

On April 3, 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 a barrel of confectionery purporting to be cocoa almonds, remaining unsold in the original unbroken package at Providence, R. I., alleging that the article had been shipped, on or about February 20, 1911, by the New England Confectionery Co., Boston, Mass., and transported from the State of Massachusetts 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 New England Confectionery Co., a corporation, 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 *United States 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.