

5506. Adulteration and misbranding of baked beans. U. S. * * * v. 23 Cases of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8225. I. S. No. 21671-m. S. No. W-179.)

On April 6, 1917, the United States attorney for the District of Arizona, 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 23 cases of baked beans, remaining unsold in the original unbroken packages at Winslow, Ariz., alleging that the article had been shipped on or about December 29, 1916, by the Ridenour Baker Co., Kansas City, Mo., and transported from the State of Missouri into the State of Arizona, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Gilt Edge Brand Baked Beans. Packed by Union Packing Co., Omaha, Nebr."

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

Misbranding was alleged in substance for the reason that said article was labeled and branded so as to deceive and mislead the purchasers in that said article was labeled, "Baked Beans," which statement was false and misleading, and deceived and misled the purchaser, in that said beans had not been baked, but had been cooked by another and different process than by baking.

On May 31, 1917, 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.*