

4220. Adulteration of cull navy beans. U. S. * * * v. 76 Bags * * * of Cull Navy Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6497. I. S. No. 14558-k. S. No. C-202.)

On May 1, 1915, the United States attorney for the Northern District of Illinois, 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 76 bags, each containing 165 pounds of cull navy beans, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the product had been shipped, on December 26, 1914, and transported from the State of Michigan into the State of Illinois, 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 consisted wholly of a decomposed vegetable substance; for the further reason that it consisted in part of a decomposed vegetable substance; for the further reason that it consisted wholly of a filthy vegetable substance; and for the further reason that it consisted in part of a filthy vegetable substance.

On August 4, 1915, John Sexton & Co., Chicago, Ill., claimant, having admitted the allegations of the libel, and the court having read and considered the pleadings and heard the arguments of counsel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered and delivered to said claimant, upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, one of the conditions of the bond being that the said claimant, under the supervision of the United States marshal, should cause the cull navy beans to be ground up for use as animal food.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the article consisted of a filthy vegetable substance.)

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