

4659. Adulteration of chestnuts. U. S. * * * v. 140 Barrels Chestnuts. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7049. I. S. No. 20232-1. S. No. W-76.)

On November 19, 1915, the United States attorney for the Northern District of California, 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 140 barrels of chestnuts, more or less, consigned by Cuneo Bros., New York, N. Y., and remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped and transported from the State of New York into the State of California, 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, in whole or in part, of a filthy, decomposed vegetable substance in that 48.5 per cent of the chestnuts were decayed, moldy, and wormy and the whole 140 barrels were more or less damp, moldy, and in bad condition.

On November 20, 1915, Garcia & Maginni Co., a corporation, San Francisco, Cal., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceeding and the execution of bond in the sum of \$1,500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*