

**5203. Adulteration of potatoes. U. S. \* \* \* v. 200 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Good portion released on bond, unfit portion destroyed. (F. & D. No. 7566. I. S. No. 20684-1. S. No. W-97.)**

On July 5, 1916, the United States attorney for the District of Colorado, 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 200 sacks of potatoes, consigned by the California Vegetable Union, Los Angeles, Cal., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about June 19, 1916, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance, in that said potatoes were tunneled and infested with larvæ of tuber moth and contained live larvæ, pupæ, dead worms, live worms, and their excreta.

On July 20, 1916, Matthew J. Zeuzius, agent of the said California Vegetable Union, claimant, having filed an answer and a stipulation consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of potatoes fit for food should be released to said claimant upon the filing of a bond, in conformity with section 10 of the act, and the payment of the costs of the proceedings, and that the remaining portion should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*