

**6064. Adulteration of prunes. U. S. \* \* \* v. 200 Boxes of Prunes. Product found adulterated. Goods delivered to claimant on bond. Unfit portion ordered destroyed.** (F. & D. No. 8641. I. S. No. 16514-p. S. No. W-204.)

On December 8, 1917, 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 boxes of prunes, consigned on or about March 9, 1917, by Rosenberg Bros. & Co., San Francisco, Cal., remaining unsold in the original unbroken packages at Pueblo, Colo., alleging that the article had been shipped and transported from the State of California into the State of Colorado, 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 part of a filthy and decomposed vegetable substance and animal matter, namely, larvæ of common fruit moth, living worms, refuse, and disintegrated vegetable matter.

On January 7, 1918, the Henkel Duke Mercantile Co., Pueblo, Colo., having filed a claim for the product, the court found the product to be adulterated and ordered that the same should be released to said claimant upon the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned that the claimant should sort the prunes, separating the good from the bad, and destroy all prunes unfit for human food, and pay the costs of the proceedings.

CARL VROOMAN, *Acting Secretary of Agriculture*