

4566. Adulteration of horse beans. U. S. * * * v. 806 Sacks of Horse Beans. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 6852. I. S. No. 20304-1. S. No. W-64.)

On August 31, 1915, 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 806 sacks of horse beans, remaining unsold in the original unbroken packages at Tucson, Ariz., alleging that the article had been shipped, on or about August 29, 1915, and was being transported from the State of California into the State of New York, 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, decomposed, and putrid animal [vegetable] substance, that said horse beans were infested with worms and worm excrement, and unfit for consumption as food, and said horse beans were, in part, so infested with worms and vermin, and so consisted in such part of filthy, decomposed, and putrid animal [vegetable] substance.

On September 30, 1915, J. K. Armsby Co. and Glancer Bros., claimants, having filed their claim to the property, but offering no evidence, and the case having been submitted to the court for decision, 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.*