

**4660. Adulteration of chestnuts. U. S. \* \* \* v. 140 Barrels Chestnuts. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7050. I. S. No. 20223-1. S. No. W-77.)**

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, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped by Descalzi Bros., New York, N. Y., 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 41.5 per cent of the chestnuts were decayed, moldy, and wormy, and the whole 140 barrels were damp, moldy, and in bad condition.

On November 20, 1915, Garbini Bros. & Co., a copartnership, San Francisco, Cal., claimants, having consented to 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 concern 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.*