

5342. Adulteration of chestnuts. U. S. * * * v. 9 Bags * * * .of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7828. I. S. No. 2014-m. S. No. E-720.)

On October 20, 1916, the United States attorney for the Southern District of New York, 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 9 bags of wormy and moldy chestnuts, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Joseph Wallerstein, Stuart, Va., and transported from the State of Virginia into the State of New York, the shipment having been received on or about October 20, 1916, 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 part, of a filthy, decomposed, and putrid vegetable substance, to wit, wormy and moldy chestnuts.

On November 9, 1916, no claimant having appeared for the property, 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.

R. A. PEARSON, *Acting Secretary of Agriculture.*