

5912. Adulteration of horse beans. U. S. * * * v. 491 Sacks of Horse Beans. Decree of condemnation and forfeiture as to portion of product. Good portion released. Unfit portion ordered destroyed.
(F. & D. No. 7810. I. S. No. 12033-m. S. No. C-579.)

On October 30, 1916, the United States attorney for the Eastern District of Louisiana, 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 491 sacks of horse beans, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about October 10, 1916, by Adolph Koshland, San Francisco, Cal., and transported from the State of California into the State of Louisiana, 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 vegetable substance.

On October 23, 1917, the said Adolph Koshland, claimant and owner of the product, having appeared and arranged with a duly authorized representative of the United States, judgment of condemnation and forfeiture was entered as to the 21 adulterated bags of the product, and it was ordered by the court that the article should be reinspected and, in pursuance of said agreement, said reinspection having been made and all of the product except 21 bags having been found to be not adulterated and having been released to said claimant, that said unfit portion should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*