

**3472. Adulteration of tomato pulp. U. S. v. 1,100 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5686. I. S. No. 8874-h. S. No. C-25.)

On April 14, 1914, the United States attorney for the Western District of Missouri, 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 1,100 cans, each containing 5 gallons of tomato pulp, remaining unsold in the original unbroken packages at Wellington, Mo., alleging that the product had been shipped on or about February 19, 1914, and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The product bore no label.

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance containing yeast[s], spores, and bacteria.

On May 12, 1914, 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.

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

WASHINGTON, D. C., *October 26, 1914.*

**3473. Adulteration of tomato pulp. U. S. v. 50 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5687. I. S. No. 8929-h. S. No. E-28.)

On April 14, 1914, the United States attorney for the District of New Jersey, 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 50 cases of tomato pulp, remaining unsold in the original unbroken packages at Hoboken, N. J., alleging that the product had been shipped on or about April 4, 1914, and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Fox Creek Brand Tomato Pulp—Made from Tomatoes and Tomato Trimmings—Contents 10 oz. Packed by J. Frank Hearn."

Adulteration of the product was alleged in the libel for the reason that it consisted in part and in whole of a filthy, decomposed, and putrid vegetable substance, to wit, tomatoes.

On May 14, 1914, 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.

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

WASHINGTON, D. C., *October 26, 1914.*

**3474. Adulteration of candy. U. S. v. 39 Boxes \* \* \* of Candy. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5692. I. S. Nos. 21518-h, 21519-h, 21520-h. S. No. E-31.)

On or about April 22, 1914, 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 39 boxes, each containing about 40 pounds of candy, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about April 14, 1914, and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. Eleven boxes were labeled No. 1, 13 were labeled No. 2, and 15 were labeled No. 3.

Adulteration of the product was alleged in the libel for the reason that it had been mixed with other substances so as to reduce and lower and injuriously affect its quality and strength, and consisted in part of a filthy vegetable substance due to contamination with smoke and of products resulting from combustion.

On May 11, 1914, 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.

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

WASHINGTON, D. C., *October 26, 1914.*

**3475. Adulteration of desiccated eggs. U. S. v. 1 Barrel of Desiccated Egg Product. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5697. I. S. No. 8875-h. S. No. C-28.)

On April 23, 1914, the United States attorney for the Western District of Missouri, 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 one barrel, containing 100 pounds of desiccated egg product, remaining unsold in the original unbroken package at Kansas City, Mo., alleging that the product had been shipped on or about April 9, 1914, and transported from the State of Texas into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Head up. Rush. Yost Pie Co. Kansas City, Missouri. W. F. Ex. Charges Prepaid. Perishable. Keep Dry."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On June 4, 1914, 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.

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

WASHINGTON, D. C., *October 30, 1914.*

**3476. Adulteration and misbranding of powdered milk. U. S. v. 2 Barrels, Each Containing \* \* \* Product Purporting to be Powdered Milk. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5698. I. S. No. 21521-h. S. No. E-33.)

On or about April 24, 1914, 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 2 barrels, each containing approximately 250 pounds of a product purporting to be powdered milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about April 14, 1914, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Powd. Milk."

Adulteration of the product was alleged in the libel for the reason that it had been so mixed with other substances as to reduce and lower and injuriously affect its quality and strength, and further in that it consisted in part of a filthy vegetable substance due to contamination with smoke and other products resulting from combustion. It was alleged that the product was misbranded in violation of section 8, first general paragraph, and paragraph 2 under the title of "Food" of said act, in that said product was branded "Powd. Milk," when in fact it contained 80 per cent of added sucrose.

On May 11, 1914, 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.

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

WASHINGTON, D. C., *October 26, 1914.*