

4295. Adulteration of tomato pulp. U. S. * * * v. 1,000 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6780. I. S. No. 5376-k. S. No. E-373.)

On July 30, 1915, 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 1,000 five-gallon cans of tomato pulp, remaining unsold in the original unbroken packages at Farmingdale, N. J., alleging that the product had been shipped on or about July 18, 1915, and transported from the State of Indiana into the State of New Jersey, 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 decomposed vegetable and animal substance.

On September 23, 1915, 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.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the product consisted of a decomposed animal substance.)

CARL VROOMAN, *Acting Secretary of Agriculture.*