

4431. Adulteration of tomato pulp. U. S. * * * v. 200 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6375. I. S. No. 13818-k. S. No. C-182.)

On March 16, 1915, the United States attorney for the Eastern 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 200 cases, each containing 48 cans, of tomato pulp, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped, on or about February 26, 1915, and transported from the State of Kentucky into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The shipping cases were labeled: "4 doz. No. 1 Green River Brand Tomato Pulp." The cans were labeled: "Green River Brand Tomato Pulp Made from tomatoes and clean parts of tomatoes. Especially desirable for Soups, Flavoring Meats and Fish. Net weight of Contents About 10 ounces. (Design of lady on horseback.) Blue Grass Canning Co. Owensboro, Ky."

The allegations in the libel were to the effect that the article was adulterated for the reason that it consisted, in whole or in large part, of a decomposed vegetable product and was unfit for use as food within the meaning of the Food and Drugs Act.

On September 21, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*