

4476. Adulteration of tomato pulp. U. S. v. 100 Cases of Canned Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6556. I. S. No. 3152-k. S. No. E-282.)

On May 24, 1915, the United States attorney for the Eastern District of Virginia, 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 100 cases, each containing four dozen 10-ounce retail packages, of tomato pulp, remaining unsold in the original unbroken packages at Richmond, Va., alleging that the article had been shipped, on or about August 11, 1914, and transported from the State of Maryland into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act. The retail packages or cans were labeled: "Calhoun Brand Tomato Pulp Made from Tomato Pulp and Trimmings Calhoun Brand (Monogram) H. P. Co. Hartlove Packing Co., Baltimore, Md. Contents weigh 10 oz."

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

On October 4, 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.

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