

**4554. Adulteration of tomatoes. U. S. \* \* \* v. 58 Cases Strained Tomatoes. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 6810. I. S. No. 15868-k. S. No. C-289.)

On August 9, 1915, the United States attorney for the Northern District of Alabama, 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 58 cases, each containing 48 cans, of strained tomatoes, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on April 27, 1915, and transported from the State of Maryland into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Alpine Heights Brand Strained Tomatoes, for Soup, Contents 11 oz., packed by D. L. Harrison, Woodwardville, Md."

Adulteration of the article was alleged in the libel for the reason that the article consisted of a partially decomposed vegetable product,

On September 22, 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.*