

4622. Adulteration of tomato pulp. U. S. * * * v. 9 Cases of * * * Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6962. I. S. No. 10106-1. S. No. C-367.)

On October 27, 1915, the United States attorney for the Northern District of Illinois, 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 9 cases, each containing 60 cans, of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on September 24, 1915, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On January 14, 1916, 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.*