

4687. Adulteration of tomato pulp. U. S. * * * v. 250 Cans of Tomato Pulp.
Default decree of condemnation, forfeiture, and destruction. (F. & D.
No. 7104. I. S. No. 1638-I. S. No. E-499.)

On December 11, 1915, the United States attorney for the Western District of Pennsylvania, 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 250 cans, each containing approximately 5 gallons, of tomato pulp, remaining unsold in the original unbroken packages at West Newton, Pa., alleging that the article had been shipped by the Vienna Canning Co., Vienna, Ind., and transported from the State of Indiana into the State of Pennsylvania, the shipment having been received on or about November 18, 1915, 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 filthy, decomposed, or putrid vegetable substance unfit for food.

On February 2, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*