

4889. Adulteration of tomato pulp. U. S. * * * v. 150 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6854. I. S. No. 11112-1. S. No. C-320.)

On September 11, 1915, the United States attorney for the Western District of Texas, 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 150 cases, each containing 4 dozen No. 1 cans, of tomato pulp, consigned by the Mantik Packing Co., Highlandtown, Md., and remaining unsold in the original unbroken packages at Austin, Tex., alleging that the article had been shipped on or about February 20, 1915, and transported from the State of Maryland into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (On can) "Ruxton Brand Packed by Mantik Packing Co., Highlandtown, Md. Ruxton Brand Tomato Pulp, Made from Tomatoes and Tomato Trimmings."

Adulteration of the article was alleged in the libel for the reason that it was composed of a partially decomposed vegetable substance.

On January 28, 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.*