

**5782. Adulteration of tomato paste. U. S. \* \* \* v. 200 Cases \* \* \* of Tomato Paste. Consent decree of condemnation, forfeiture, and destruction. (F. & D No. 8220. I. S. No. 1751-m. S. No. E-836.)**

On March 29, 1917, the United States attorney for the Southern District of New York, 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 200 cases, each containing 200 cans of tomato paste, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about February 16, 1917, by V. Taormina & Co., New Orleans, La., and transported from the State of Louisiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Tomato Paste with Basilico Fly Brand \* \* \*"

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

On September 19, 1917, Strohmeyer & Arpe, New York, N. Y., claimants, Act. The article was labeled in part, "Tomato Paste with Basilico Flag entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that judgment for the costs of the proceedings be entered against said claimants.

**CARL VROOMAN, *Acting Secretary of Agriculture.***