

**6350. Adulteration of tomato paste. U. S. \* \* \* v. 250 Cases \* \* \* of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8196, I. S. No. 2141-m. S. No. E-635).**

On March 24, 1917, 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 cases of tomato paste, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Taormina Co., New Orleans, La., and transported from the State of Louisiana into the State of Pennsylvania, and was received at Pittsburgh, Pa., on or about February 17, 1917, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Buffalo Brand Tomato Paste \* \* \* Puree Di Pomodoro."

Adulteration of the articles was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On July 26, 1917, 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.*