

6475. Adulteration of tomato paste. U. S. * * * v. 35 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8766. I. S. No. 16151-p. S. No. W-215.)

On February 8, 1918, the United States attorney for the Western District of Washington, 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 35 cases, each containing 100 cans of tomato paste, consigned on or about November 16, 1917, by R. Gerber & Co., Chicago, Ill., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped and transported from the State of Illinois into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Concentrated Tomato Concentro Di Pomodoro Liberty Bell Brand."

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

On May 22, 1918, 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.

J. R. RIGGS, *Acting Secretary of Agriculture.*