

Adulteration of the product was alleged in the libel for the reason that it consisted of a filthy, decomposed, and putrid animal substance.

On November 17, 1913, no claimant having appeared for the product, an order pro confesso was entered. On January 10, 1914, final judgment of condemnation and forfeiture was entered upon motion of the United States attorney and upon the testimony of witnesses offered ex parte on behalf of the libelant, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3195. Adulteration of tomato pulp. U. S. v. 1150 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5352. S. No. 1960.)

On October 16, 1913, the United States Attorney for the Southern District of Ohio, 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 1,150 cans, each containing approximately 5 gallons of tomato pulp, remaining unsold in the original unbroken packages and in possession of the W. M. Spencer Sons Co., Cincinnati, Ohio, alleging that the product had been transported in interstate commerce from the State of Kentucky into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The product bore no label. Adulteration of the product was alleged in the libel for the reason that it contained and consisted of a filthy, putrid, and decomposed vegetable substance.

On November 17, 1913, no claimant having appeared for the property, although the Frankfort Canning Co., Frankfort, Ky., the packer and shipper, and said W. M. Spencer Sons Co. had due legal and actual notice of the proceedings, an order pro confesso was entered.

On January 10, 1914, the case having come on for final hearing, upon motion of the United States attorney for judgment and upon the testimony of witnesses offered ex parte on behalf of the libelant to sustain the allegations of the libel, 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.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3196. Adulteration of catsup. U. S. v. 1 Barrel of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5359. S. No. 1963.)

On October 18, 1913, the United States Attorney for the Eastern District of Louisiana, 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 1 barrel of catsup, remaining unsold in the original unbroken package at New Orleans, La., alleging that the product had been shipped on or about October 8, 1913, by the National Pickle and Canning Co., St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. It was alleged in the libel that the product constituted an article of food within the meaning and intent of the act of Congress of June 30, 1906, and that the same was in a state of decomposition, filthy, and a putrid, decomposed vegetable substance, and was adulterated within the meaning and intent of that act and especially of paragraph 6 of section 7 thereof, and was subject to seizure, condemnation, and destruction.

On November 25, 1913, 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.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3197. Adulteration of chestnuts. U. S. v. 3 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5366. S. No. 1974.)

On October 27, 1913, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia a libel for the seizure and condemnation of 3 bags of chestnuts, remaining unsold in the original unbroken packages and in possession of James W. Beasley, Washington, D. C., alleging that the product had been transported from the State of Virginia into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance, for which reasons the chestnuts were absolutely unfit for human consumption.

On November 17, 1913, 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.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3198. Adulteration of chestnuts. U. S. v. 5 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5367. S. No. 1973.)

On October 27, 1913, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia a libel for the seizure and condemnation of 5 bags of chestnuts, remaining unsold in the original unbroken packages and in possession of David W. Ballinger, Washington, D. C., alleging that the product had been transported from the State of North Carolina into the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance, for which reasons the chestnuts were absolutely unfit for human consumption.

On November 17, 1913, 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.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 26, 1914.*

3199. Adulteration of peaches. U. S. v. 114 Cases of Peaches. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5368. S. No. 1966.)

On October 23, 1913, the United States Attorney for the Eastern District of Louisiana, 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 400 cases, each containing 1 dozen No. 10 cans of peaches, remaining unsold in the original unbroken packages at New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. Two hundred