

4593. Adulteration of strained tomatoes. U. S. * * * v. 100 Cases and 25 Cases * * * of Strained Tomatoes. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 6905, 6906. I. S. Nos. 3501-1, 3502-1. S. No. E-412.)

On October 7, 1915, 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 libels for the seizure and condemnation of 100 cases and 25 cases, each containing four dozen cans, of strained tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about September 21, 1915, and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The cases were branded: "4 doz. No. 1 Reddens Tomato Pulp—Packed by G. T. Redden & Company, Denton, Md. 80350—9/25." The retail packages were labeled: "Strained tomatoes" (picture of whole ripe tomato) "made from whole tomatoes and tomato trimmings. Contents ten oz. packed by G. T. Redden & Co., Denton, Md."

Adulteration of the article was alleged in the libels for the reason that it consisted in particular [part] of a filthy and decomposed vegetable substance, to wit, decayed tomatoes.

On October 30, 1915, 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.*