

4656. Adulteration of tomato purée. U. S. * * * v. 200 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 7037. I. S. No. 11418-1. S. No. C-388.)

On November 17, 1915, the United States attorney for the Eastern District of Missouri, 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 48 cans, of tomato purée, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped, on or about September 17, 1915, by the Owensboro Canning Co., Owensboro, Ky., and transported from the State of Kentucky into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled in part: "4 Doz. No. Blue Grass Tomato Purée." The cans were labeled, in part: "Tomato Purée or Pulp" (Design of red ripe tomato) "This package contains ripe tomato juice, condensed, especially suited for dressing Fish, Oysters, Meats, etc. Adapted to the making of home-made catsup. Contents about 9 ozs. * * * Blue Grass Brand" (Picture bearing name Daniel Boone) "Trade Mark Owensboro Canning Co. Incorporated, Owensboro, Ky., U. S. A."

The allegations in the libel were to the effect that the article was adulterated in that it consisted, in whole or in part, of a decomposed vegetable substance.

On March 8, 1916, 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.*