

4711. Adulteration of tomato pulp. U. S. * * * v. 2,000 Cans of Tomato Pulp. Consent decree of condemnation and forfeiture. Portion of product destroyed; portion ordered released on bond. (F. & D. No. 7159. I. S. Nos. 1264-1, 3090-1. S. No. E-525.)

On January 13, 1916, the United States attorney for the Eastern 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, and on January 18, 1916, an amended libel, for the seizure and condemnation of 2,000 five-gallon cans of tomato pulp, consigned by the Houghland Bros. Canning Co., Underwood, Ind., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on December 3, 1915, and December 7, 1915, and transported from the State of Indiana into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

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

On April 1, 1916, the Houghland Bros. Canning Co., a corporation, Underwood, Ind., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that 376 cans of the article should be delivered to the claimant company, upon payment of the costs of the proceedings and execution of bond in the sum of \$300, in conformity with section 10 of the act. The remainder of the product was destroyed after having been shown upon examination to be adulterated.

CARL VROOMAN, *Acting Secretary of Agriculture.*