

4892. Adulteration of tomato pulp. U. S. * * * v. 500 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6865. I. S. No. 11116-1. S. No. C-324.)

On September 21, 1915, the United States attorney for the Western District of Texas, 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 500 cases, each containing 4 dozen cans, of tomato pulp, consigned by the Scottsburg Canning Co., Scottsburg, Ind., and remaining unsold in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped on or about July 5, 1915, and transported from the State of Indiana into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (On can) "Scott Co. Brand Whole Tomato Pulp packed by Austin Canning Co., Austin, Ind."

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

On May 26, 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.*