

5437. Adulteration of tomato pulp. U. S. * * * v. 320 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8038. I. S. Nos. 2045-m, 2046-m. S. No. E-800.)

On January 25, 1917, the United States attorney for the District of New Jersey, 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 320 cases of tomato pulp, remaining unsold in the original unbroken packages at Hoboken, N. J., alleging that the article had been shipped on or about November 20 and December 2, 1916, by the Mantik Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ruxton Brand (or Highland Square Brand) tomato pulp * * *."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 27, 1917, 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.*