

6417. Adulteration of tomato pulp. U. S. * * * v. 550 Cases * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8572. I. S. No. 1653-p. S. No. E-907.)

On November 5, 1917, the United States attorney for the Eastern 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 a libel for the seizure and condemnation of 550 cases, each containing 48 cans of tomato pulp, remaining unsold in the original unbroken packages, at Brooklyn, N. Y., alleging that the article had been shipped on or about October 9, 1917, by W. H. Roberts & Co., Baltimore, Md., 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 article was labeled in part, "Seaside Brand Tomato Pulp * * * Packed by W. H. Roberts & Co., Baltimore, Md."

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

On March 8, 1918, the said W. H. Roberts & Co., claimant, having consented to the forfeiture of the product, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*