

nal unbroken packages and in possession of Jacob Kraft, Savannah, Ga., alleging that the product had been shipped on or about December 1, 1912, by V. Lopez & Co., New York, N. Y., and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Blue Ribbon Brand Best Baking Butter." It also bore the name and address of consignee.

Adulteration of the product was alleged in the libel and amended libel for the reason that it was mixed and packed with an excessive, unreasonable, and illegal amount of water, which said water was substituted in part for the butter therein, whereby said butter was reduced, lowered, and injuriously affected in its quality and strength, and for the further reason that a deleterious ingredient, to wit, borax, was added and contained in said butter, which said borax had injuriously affected the quality thereof and might render the said butter product injurious to health as an article of food. Misbranding was alleged for the reason that the tubs bore no statement that the product therein contained was composed of an excessive and surplus amount of water, but on the contrary indicated that the same was "best baking butter," and for the further reason that the tubs bore no statement to indicate that the butter contained borax.

On December 10, 1913, the said V. Lopez & Co., claimant, having filed their answer setting up ownership to the product and having subsequently withdrawn their claim to the butter, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be sold by the United States marshal, but not as an article of food, and that if no purchaser be found for the butter the same should be destroyed, and that the United States recover and have judgment against said claimant and their surety on the bond executed by them for the costs of the proceedings.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**2991. Adulteration of tomato pulp. U. S. v. 267 Barrels Tomato Pulp. Decree of condemnation by default. Product ordered destroyed. (F. & D. No. 4870. S. No. 1607.)**

On December 9, 1912, the United States attorney for the Western District of Michigan, 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 267 barrels of a product purporting to be tomato pulp, remaining unsold in the original unbroken packages and in possession of the Thomas Canning Co., Grand Rapids, Mich., alleging that the product had been transported in interstate commerce, from the State of Illinois into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it consisted wholly or in part of filthy, putrid, or decomposed vegetable substance.

On May 27, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the contents of the barrels should be destroyed by the United States marshal and that the casks or barrels should be delivered to Fred C. Edler, doing business as the Huss-Edler Preserve Co., Chicago, Ill., the owner thereof.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**2992. Adulteration of tomato pulp. U. S. v. 159 Barrels Tomato Pulp. Decree of condemnation by default. Product ordered destroyed. (F. & D. No. 4871. S. No. 1607.)**

On December 9, 1912, the United States attorney for the Western District of Michigan, 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 159