injuriously affect its quality and strength. Misbranding was alleged for the reason that said 5 bags were invoiced and billed as bran, and said designation was false and misleading in that said food product was a mixture of bran, screenings, and corncob meal, which had been substituted in part for bran.

On May 5, 1914, 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.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 28, 1914.*

3470. Adulteration of tomato purée. U. S. v. 50 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5655. I. S. No. 8919-h. S. No. E-16.)

On or about March 30, 1914, the United States attorney for the Southern 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 50 cases of canned tomato purée remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about March 20, 1914, 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 product was labeled: "Asquith Brand Tomato Pulp made from Tomatoes and Fresh Tomato Trimmings with Great Care. Contents Weigh 10 Oz. Asquith Brand Packed by Andrews Packing Co. Crapo, Md."

Adulteration of the product was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, yeasts and spores, bacteria, and decayed fragments of tomato.

On April 21, 1914, 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.

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

WASHINGTON, D. C., *October 26, 1914.*

3471. Adulteration of tomato pulp. U. S. v. 700 Cans, More or Less, of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5673. I. S. No. 9615-h. S. No. C-24.)

On April 10, 1914, the United States attorney for the Northern District of Illinois, 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 700 cans of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the product had been shipped on September [December(?)] 27, 1913, and transported from the State of Indiana into the State of Illinois, 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 in part of a filthy, decomposed, and putrid vegetable substance. Adulteration was alleged for the further reason that the product consisted wholly of a filthy, decomposed, and putrid vegetable substance.

On May 13, 1914, 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.

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

WASHINGTON, D. C., *October 26, 1914.*