

4445. Adulteration of tomato pulp. U. S. * * * v. 75 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 6411, 6412. I. S. No. 12597-k. S. No. C-190.)

On April 1, 1915, the United States attorney for the Northern District of Alabama, 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 75 cases, each containing 48 cans, of tomato pulp, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped and transported from the State of Indiana into the State of Alabama, the shipment arriving about March 9, 1915, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Hoosier Belle Tomato Pulp for Soup. Packed by Houghland Bros. Underwood, Indiana. Contents 10 oz. H. B. C. Co. Underwood, Ind."

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

On September 22, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*