

4878. Adulteration of tomato pulp. U. S. * * * v. 62 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6752. I. S. No. 15478-k. S. No. C-277.)

On July 20, 1915, the United States attorney for the Eastern District of Louisiana, 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 62 cases, each containing 48 cans, of tomato pulp, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped, on or about May 31, 1915, by the Scottsburg Canning Co., Scottsburg, Ind., and transported from the State of Indiana into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The cans were labeled in part: "Old Mammy's Brand Tomato Pulp."

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

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 should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*