

6196. Adulteration of tomato paste. U. S. * * * v. 18 Cases of Tomato Paste. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 8636. I. S. No. 8741-p. S. No. C-769.)

On December 5, 1917, 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 18 cases, each containing 120 cans of tomato paste, remaining in the original cases at Birmingham, Ala., alleging that the article had been shipped on October 21, 1917, by F. G. Favaloro & Sons, New Orleans, La., and transported from the State of Louisiana into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Cowboy Brand Tomato Paste."

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

On April 22, 1918, the Central Canning Co. (Ltd.), claimant, New Orleans, La., having entered its appearance and made known to the court that it did not desire to resist a decree in the case, 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.