

**4729. Adulteration of tomato pulp. U. S. * * * v. 1,600 Cases * * *
of Tomato Pulp. Default decree of condemnation, forfeiture, and de-
struction. (F. & D. No. 7193. I. S. No. 11133-1. S. No. C-432.)**

On January 29, 1916, the United States attorney for the Southern District of Texas, 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 1,600 cases of tomato pulp, remaining unsold in the original unbroken packages at Galveston, Tex., alleging that the article had been shipped, on or about August 28, September 9, and October 24, 1915, by Roberts Bros., Baltimore, Md., and transported from the State of Maryland into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "4 doz. 10 ounces each No. 1 Roberts Bros. Big R Brand Trade mark Tomato Pulp. Main office Baltimore, Md." The cans were labeled: "Big R Brand Tomato Pulp. Distributed by Roberts Bros., Main Office Baltimore, Md. Contents weigh 10 oz. Made from pieces and trimmings of tomatoes."

The allegations in the libel were to the effect that the article was adulterated by being decomposed and putrid.

On April 10, 1916, 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.*