

4880. Adulteration of tomato puree. U. S. * * * v. 570 Cases of Tomato Puree. Consent decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 6785, 6786, 6789, 6790, 6791, 6792, 6793, 6794, 6795. I. S. No. 15869-k. S. No. C-284.)

On August 4, 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 570 cases, each containing 48 cans, of tomato puree, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped by the J. Weller Co., Oak Harbor, Ohio, May 29, 1915, and transported from the State of Ohio into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The cans were labeled in part: "Hoffman House Brand 'Puree' Extra Quality and Flavor."

It was alleged in the libel that the article was adulterated within the meaning of section 7 of the Food and Drugs Act, paragraph 6.

On March 7, 1916, the said J. Weller Co., claimant, having interposed no objection, 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.*