

4903. Adulteration of tomato pulp. U. S. v. 550 Cases of Tomato Pulp.
Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 6927. I. S. No. 11122-1. S. No. C-353.)

On October 20, 1915, the United States attorney for the Western 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 550 cases, each containing 4 dozen No. 1 cans, of tomato pulp, consigned by the Austin Canning Co., Austin, Ind., remaining unsold in the original unbroken packages at San Antonio, Tex., alleging that the article had been shipped on or about March 22, 1915, and transported from the State of Indiana into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (On cans) "America Beauty Brand Tomato Pulp, Austin Canning Co., Austin, Ind."

Adulteration of the article was alleged in the libel for the reason that it was composed of a partially decomposed vegetable substance.

On May 26, 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.

R. A. PEARSON, *Acting Secretary of Agriculture.*