

5653. Adulteration of tomato puree. U. S. * * * v. 50 Cases * * * of Tomato Puree. Default decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 7479. I. S. No. 4513-1. S. No. E-631.)

On June 1, 1916, the United States attorney for the Western District of Pennsylvania, 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 50 cases of tomato puree, consigned by Thomas Page Canning Co., Albion, N. Y., remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about December 16, 1915, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ontario Brand Condensed Tomatoes."

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

On July 26, 1917, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*