

**6036. Adulteration of tomato puree. U. S. \* \* \* v. 185 Cases \* \* \* of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8545. I. S. No. 1034-p. S. No. E-909.)**

On November 2, 1917, the United States attorney for the Southern District of New York, 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 185 cases, each containing 48 cans of tomato puree, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 11, 1917, by the Morris Canning Co., Lambertville, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Morris' Tomato Puree \* \* \* Morris Canning Co., Lambertville, N. J."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decayed and moldy tomato puree.

On December 1, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*