

6055. Adulteration of tomato pulp. U. S. * * * v. 20 Barrels of Tomato Pulp. Heard by the court and a jury. Finding for the Government. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8615. I. S. No. 3257-p. S. No. E-925.)

On November 23, 1917, the United States attorney for the Eastern District of South Carolina, 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 20 barrels of tomato pulp, consigned on or about November 8, 1917, remaining unsold in the original unbroken packages at Charleston, S. C., alleging that the article had been shipped by Ernest Griffith Co., Baltimore, Md., and transported from the State of Maryland into the State of South Carolina, charging adulteration in violation of the Food and Drugs Act.

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

On January 22, 1918, no claimant having appeared for the property, the case was called for hearing before the court and a jury, and, after the submission of evidence, the jury returned a verdict for the Government. Thereupon a decree 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.*