

6434. Adulteration of tomato puree. U. S. * * * v. 88 Cases * * * of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. F. & D. No. 8639. I. S. No. 1045-p. S No. E-943.)

On December 6, 1917, the United States attorney for the Eastern 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 88 cases, each containing 6 cans of tomato puree labeled in part, "Tomato Puree * * * Packed by Keough Canning Co., Franklinville, N. J.," remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped on or about October 13, 1917, by the Keough Canning Co., Franklinville, 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.

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

On March 13, 1918, 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.*