

6561. Adulteration of tomato pulp. U. S. * * * v. 30 Barrels of Tomato Pulp. Heard by the court and a jury. Verdict for the Government. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9007. I. S. No. 1740-p. S. No. E-1033.)

On April 23, 1918, 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 30 barrels of tomato pulp, remaining unsold in the original unbroken packages at Charleston, S. C., consigned on or about April 2, 1918, 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, 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 August 16, 1918, the case having come on to be heard before the court and a jury, and no claim or appearance having been made for the property, and evidence to establish the material allegations of the libel having been submitted, the jury returned a verdict for the Government, and thereupon, in conformity with the finding of the jury, 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.

J. R. RIGGS, *Acting Secretary of Agriculture.*