

5324. Adulteration of canned tomatoes. U. S. * * * v. 2,000 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7782. I. S. No. 6212-m. S. No. C-580.)

On October 25, 1916, the United States attorney for the Northern District of Illinois, 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 2,000 cases of canned tomatoes, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on October 11, 1916, by the Little Bay Ice Co., Whitestone, Va., and transported from the State of Virginia into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for said article.

On January 23, 1917, the said Little Bay Ice Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled in such manner as to show that it contained added water.

R. A. PEARSON, Acting Secretary of Agriculture.