

5355. Adulteration of tomatoes. U. S. * * * v. 1,000 Cases of Canned Tomatoes. * * * Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7855. I. S. No. 6250-m. S. No. E-749.)

On November 15, 1916, the United States attorney for the Western 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 1,000 cases of canned tomatoes, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on or about November 8, 1916, by the Waterview Packing Co., Waterview, Va., and were being transported from the State of Virginia into the Dominion of Canada, 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 added water in such quantities as to lower and injuriously affect its quality and strength.

On December 18, 1916, a decree of condemnation and forfeiture having been entered on December 12, 1916, and the said Waterview Packing Co., claimant, having paid the costs of the proceedings and executed a bond in the sum of \$2,000, in conformity with section 10 of the act, it was ordered by the court that the product should be released to said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*