

5755. Adulteration of tomatoes. U. S. * * * v. 300 Cases * * * of * * * Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 8057. I. S. No. 11115-m. S No. C-646.)

On or about February 5, 1917, the United States attorney for the Southern District of Iowa, 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 300 cases of tomatoes, remaining unsold in the original unbroken packages at Davenport, Iowa, alleging that the article had been shipped on or about November 25, 1916, by the Booth Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of Iowa, and charging adulteration and violation of the Food and Drugs Act. The article was labeled in part, "Booth's Tomatoes * * * Oval Brand."

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

On June 25, 1917, the said Booth Packing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon 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 and branded so as plainly to indicate the presence of added water.

CARL VROOMAN, *Acting Secretary of Agriculture.*