

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1201.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF TOMATO CATSUP.

On December 19, 1910, the United States Attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 575 cases and 100 crates of tomato catsup, in the possession of Hulman & Co., Terre Haute, Ind. The cases containing said catsup were each labeled: "2 Doz. No. 14 Crystal Tomato Catsup—Hulman Company, Terre Haute, Ind." Each of the bottles containing the said product was labeled: "Crystal Brand Tomato Catsup—Put up for Hulman & Co., Terre Haute, Ind., * * * Ingredients, Sugar, Salt, Vinegar, Cloves, Allspice, Cayenne Pepper, Onions, Tomatoes."

Analysis of a sample of said product, made by the Bureau of Chemistry of the United States Department of Agriculture, showed the following results:

Total solids (per cent).....	(14. 69)	15. 27
Insoluble solids (per cent).....	(1. 70)	1. 73
Ratio, insoluble to soluble solids.....	(1: 7. 6)	1: 7. 3
Total acid, as acetic (per cent).....	(. 70)	. 70
Total ash (per cent).....	(2. 62)	2. 67
Alkalinity of ash (cc N/10 acid per 1 gram of sample).....	(. 61)	. 67
Reducing sugars after inversion.....	(13. 16)	11. 12
Polarization after inversion.....	(-2. 8)	-2. 8
Preservatives.....		None.
Sand (per cent).....		. 003
Settling test.....	(218)	224
Odor offensive; seems decomposed.		
Volatile acids, as acetic (per cent).....		. 55

(Results in parentheses were made on a second bottle.) Microscopical Examination. No evidence of active spoilage when opened. Yeasts and spores 95 per one-sixtieth cmm, bacteria 150,000,000 per cc, mold filaments in 95 per cent of the fields.

The libel alleged that the product, after transportation from the State of Ohio into the State of Indiana, remained in the original unbroken packages, and was adulterated in violation of the Food and Drugs Act of June 30, 1906, because it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, and was therefore liable to seizure for confiscation.

On February 20, 1911, the cause coming on to be heard, and it appearing to the court that J. Weller Co. had intervened as claimant and owner, and filed answer to said libel, the court found the said product adulterated as alleged in the libel, and that the United States was entitled to a decree of condemnation as prayed for. Accordingly, a decree was entered on that day ordering the destruction of said product at the hands of the marshal, and that the J. Weller Co. pay all costs of the proceedings.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 10, 1911.*