

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1261.

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

ADULTERATION OF TOMATO PULP.

On October 6, 1911, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Phillips Packing Co., alleging shipment by them, in violation of the Food and Drugs Act of June 30, 1906, on or about November 12, 1910, from the State of Maryland into the State of West Virginia of 100 barrels of tomato pulp which was adulterated. The product was labeled: "Tomato Pulp made from waste from Tomato Skins. Packed by Phillips Packing Company, Cambridge, Maryland. This package contains 6 oz. Benzoate of Soda."

Examination of two samples of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: (I. S. 9951-c) Yeasts and spores 31 per one-sixtieth cmm. Bacteria numerous, 200,000,000 per cc. Molds in 90 per cent of the fields. (I. S. 9956-c) Yeasts and spores 64 per one-sixtieth cmm. Bacteria 200,000,000 per cc. Molds in 70 per cent of the fields. Adulteration was alleged against said product for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance as shown by the aforesaid examination.

On October 6, 1911, the defendant pleaded guilty and was fined \$10.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 19, 1911.*

