

Issued May 14, 1912.

## United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 1338.

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

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#### ADULTERATION OF TOMATO PASTE.

On September 14, 1911, the United States Attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Salem Canning Co., a corporation, Daretown, N. J., alleging shipment by it, in violation of the Food and Drugs Act, on or about November 19, 1910, from the State of New Jersey into the State of Illinois, of a quantity of tomato paste which was adulterated. The product was labeled: "Conserva di pomodoro tomato paste red rossa. Packed for the King Cereal & Mfg. Co., Chicago, Ill. Bought of Thomas Roberts & Co., Philadelphia, Pa."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: 20,000 organisms per gram on dextrose agar, 4,000 organisms per gram on wort agar, and 10,000 gas-producing organisms in dextrose fermentation tubes. Microchemical analysis: Yeasts and spores, 300 per one-sixtieth cmm; bacteria, 500,000,000 per cc; mold filaments in 58 per cent of the fields. Adulteration was alleged for the reason that the said product consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance as shown by the aforesaid analysis.

On November 6, 1911, the defendant entered a plea of non vult and was fined \$5.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 26, 1912.*