

Issued September 27, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1670.

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

ADULTERATION OF TOMATO KETCHUP.

On July 3, 1911, the United States Attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Kuner Pickle Co., a corporation, Denver, Colo., charging delivery for shipment by said company, in violation of the Food and Drugs Act, on or about November 7, 1910, from the State of Utah into the State of Idaho, of a consignment of 10 cases alleged to contain tomato ketchup, which was adulterated. The product was labeled: "Eagle Brand Tomato Ketchup. Preserved with 1/10 of 1% Benzoate of Soda. The Kuner Pickle Company, Denver."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Yeasts and spores, 62 per one-sixtieth cmm.; bacteria, 21,000,000 per cc.; mold filaments in 90 per cent of the fields. Adulteration was alleged in the information for the reason that the product consisted in part of filthy, decomposed, and putrid animal and vegetable substances.

On November 6, 1911, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$150 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 19, 1912.*