

Issued October 24, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1729.

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

ADULTERATION OF TOMATO CATSUP.

On January 20, 1912, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a district court, a libel for the seizure and condemnation of 50 crates, each containing 6 one-gallon cans of tomato catsup, remaining unsold in the original unbroken packages and in possession of the Browning & Middleton Co. (Inc.), Washington, D. C., alleging that the product had been transported from the State of Maryland into the District of Columbia, date of shipment not shown, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On cases) "Catsup—Atlas Preserving Co., Baltimore, Md. Browning and Middleton, Washington, D. C." (On cans) "Catsup—Atlas Brand—1/10 of 1% benzoate of soda—Atlas products used the world over—Atlas Preserving Co., Baltimore, Md."

Adulteration was alleged in the libel for the reason that the product was in a filthy and decomposed condition, for which reason it was absolutely unfit for human consumption, and therefore adulterated within the meaning of the said Act of Congress.

On February 12, 1912, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *August 10, 1912.*

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