

Issued January 11, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1864.

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

ADULTERATION OF CATSUP.

On November 23, 1911, the United States Attorney for the District of Kansas, 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 Otto Kuehne Preserving Co., a corporation, Topeka, Kans., alleging the shipment by said company, in violation of the Food and Drugs Act, on or about September 24, 1910, from the State of Kansas into the State of Oklahoma of a quantity of so-called catsup which was adulterated. The product was labeled: "Green Leaf Brand." (Device. leaves) "Trade Mark Reg. Vegetable Catsup. Contains not to exceed 1/10 of 1 per cent Benzoate of Soda and Coloring Added. Packed by Otto Kuehne Preserving Co., Topeka, Kans."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Yeasts and spores, 240 per one-sixtieth cmm; bacteria, 180,000,000 per cc; mold filaments in 75 per cent of the fields. Adulteration was alleged in the information for the reason that the product consisted in part and to a material degree of filthy, decomposed, or putrid animal or vegetable substance, such substance containing excessive yeast and spores, molds, bacteria, and decayed tissue, together with an amount of benzoate of soda in excess of the amount stated upon the label.

On June 10, 1912, a plea of guilty was entered by the defendant company and the court imposed a fine of \$25 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 28, 1912.*

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