

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2311.

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

ADULTERATION OF TOMATO CATSUP.

On July 6, 1912, the United States Attorney for the Eastern District of Missouri, 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 National Pickle & Canning Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 7, 1911, from the State of Missouri into the State of Tennessee, of a quantity of tomato catsup which was adulterated. The product was labeled: "Premium Brand Tomato Catsup 1/10 of 1% Sodium Benzoate Dodson-Braun Branch."

Examination of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Mold filaments present in about 25 per cent of all microscopic fields examined; yeasts and spores about 100 per one-sixtieth cubic millimeter and bacteria about 175,000,000 per cubic centimeter, and that said sample is composed in whole or in part of a decomposed vegetable substance. Adulteration of the product was alleged in the information for the reason that it consisted in whole or in large part of filthy, decomposed, and putrid animal or vegetable substances, to wit, yeasts and spores to the number of about 100 per one-sixtieth cubic millimeter, bacteria about 175,000,000 per cubic centimeter, and mold filaments present in about 25 per cent of microscopic fields examined. (While it was stated in the information in effect that yeasts and spores and bacteria were filthy, decomposed, and putrid animal or vegetable substances, the Department does not consider this to be a fact, but claims that the stage of decomposition of animal or vegetable substances can be clearly demonstrated by the abundance and character of the yeasts and spores and bacteria.)

On November 25, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *February 4, 1913.*