

Issued June 3, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2363.

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

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### ADULTERATION OF APPLE BUTTER.

On November 4, 1912, the United States Attorney for the District of Maryland, 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 S. J. Van Lill Co., a corporation, Baltimore, Md., alleging the shipment by said company, in violation of the Food and Drugs Act, on November 23, 1911, from the State of Maryland into the State of Texas of a quantity of apple butter which was adulterated. The product was labeled: "Astoria Brand Apple Butter made from apples, sugar, boiled cider, pure spices, prepared with 1-10 of 1% Benzoate of Sodium Prepared by S. J. Van Lill Co., Baltimore, Md."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed that it was sterile in 1 cc quantities, and that mold filaments were present in about 15 per cent of all microscopic fields examined; yeasts and spores, about 200 per one-sixtieth milligram; and bacteria, about 250,000,000 per gram, of which about 50,000,000 were rod-shaped bacteria. This product contained too many bacteria and also too many yeasts. Adulteration of the product was alleged in the information for the reason that it consisted in part of a filthy and decomposed vegetable substance, to wit, apples.

On November 30, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$15.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 3, 1913.*