

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 732, FOOD AND DRUGS ACT.

ADULTERATION OF TOMATO CATSUP.

On or about November 12, 1909, the Dodson-Braun Manufacturing Company, a corporation, St. Louis, Mo., shipped from the State of Missouri into the State of Texas a consignment of a food product labeled: "Premium Tomato Catsup. Put up by the National Pickle and Canning Co., Dodson-Braun Branch, St. Louis, Mo. This catsup is made from whole ripe tomatoes with vinegar, salt, granulated sugar, pure spices, one-tenth of one per cent sodium benzoate, and contains no added artificial coloring matter or any substance injurious to health. Guaranteed under the National Pure Food and Drugs Act, June 30, 1906." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to contain yeast and spores 155 per one-sixtieth cmm., bacteria fairly numerous estimated at 40,000,000 per cubic centimeter, and also some mold tissues. As the findings of the analyst and report made showed that the product was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Dodson-Braun Manufacturing Company, Incorporated, and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Missouri against the said Dodson-Braun Manufacturing Company, Incorporated, charging the above shipment and alleging that the product so shipped was adulterated in that it consisted in part of motile bacilli and mold, and that said product was partly composed of putrid and decomposed matter and that said product consisted in part of a filthy, decomposed, and putrid vegetable substance.

On November 9, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$10 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 19, 1911.*

