

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1097.

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

ADULTERATION AND MISBRANDING OF BLACKBERRY JAM.

On January 31, 1911, the United States Attorney for the Eastern District of Missouri, acting upon the report by the Secretary of Agriculture, filed information in the District Court of the United States against the National Pickle & Canning Co. (Dodson-Braun Branch), a corporation, St. Louis, Mo., alleging shipment by it, in violation of the Food and Drugs Act, on or about November 12, 1909, from the State of Missouri into the State of Texas, of a quantity of jam which was adulterated and misbranded. The product was labeled: "Holly Brand Blackberry Jam Compound—Ingredients: Fresh Blackberries, Apple Juice, Glucose, Phosphoric Acid and Cane Sugar. Preserved with Sodium Benzoate. National Pickle & Canning Co. St. Louis, Dodson-Braun Branch, Mo., Extra Quality. Guaranteed under the Food and Drugs Act, June 30, 1906."

Analysis of the product by the Bureau of Chemistry of this Department showed the presence of yeasts and spores in the proportion of 76 to one-sixtieth cmm., with about 50,000,000 bacteria per cc., and a few molds. The information therefore alleged adulteration of the product in that it consisted in part of a filthy, decomposed, and putrid substance. Misbranding was alleged in the information in that the product was, by its label, represented to be composed of fresh blackberries, apple juice, glucose, phosphoric acid, and cane sugar, preserved with sodium benzoate, when in fact the article consisted in part of yeasts, spores, bacteria, and molds, and filthy, decomposed, and putrid animal and vegetable substances, and the statements on the label as to the ingredients of the product were, therefore, false and misleading and calculated to deceive the purchaser.

On May 29, 1911, the defendant pleaded guilty and was fined \$10 on each count, totaling a fine of \$20, and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., August 28, 1911.

