

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1107.

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

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### ADULTERATION OF TOMATO PULP.

In June, 1910, the United States Attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed a libel for seizure and condemnation in the District Court of the United States against 192 cases of tomato pulp in the possession of W. A. Gordon & Co., New Orleans, La., consigned to that company by the Lord-Mott Co., a corporation, Baltimore, Md., and charging adulteration of the product in violation of the Food and Drugs Act. The product was labeled: "Old Reliable Brand Tomato Pulp. (Picture of red ripe tomato.) Old Reliable Brand. Packed by Lord-Mott Co., Inc., Baltimore, Md. U. S. A. Guaranteed by Lord-Mott Co. to comply with pure food law."

Examination of this product made by the Bureau of Chemistry of this Department showed it to contain yeasts and spores 375 per one-sixtieth cmm., bacteria estimated at 200,000,000 per cc., molds in nearly every microscopic field examined, and a considerable amount of sand. Adulteration was charged because the product consisted in whole or in part of a filthy, decomposed vegetable substance, and contained, besides, a considerable amount of sand which had been substituted in part for the tomato pulp.

On January 16, 1911, the cause came on for hearing and no claimant to the product having appeared and no answer having been filed, the court ordered judgment by default and decreed that 72 cases of the product in question, the same being all that was found by the marshal at the time of seizure, be condemned and forfeited to the United States as being adulterated as charged in the libel and forthwith destroyed.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *August 31, 1911.*