

Issued November 28, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2607.

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

U. S. v. National Pickle & Canning Co. Plea of guilty. Fine, \$50 and costs.

ADULTERATION OF TOMATO CATSUP.

On March 13, 1913, the United States Attorney for the Western 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, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 16, 1911, from the State of Missouri into the State of Kansas, of a quantity of tomato catsup which was adulterated. The product was labeled: "Premium Brand Tomato Catsup. Packed by National Pickle & Canning Company. Dodson-Braun Branch, St. Louis, Mo., U. S. A. Contains 1-10 of 1% Sodium Benzoate." (Neck label) "This catsup is prepared from tomato pulp, vinegar, salt, granulated sugar, selected spices, and is free from artificial coloring matter. Guaranteed by the manufacturer under Food and Drugs Act, June 30, 1906."

Examination of a sample of the product by the Bureau of Chemistry of this Department showed mold filaments present in about 32 per cent of all microscopic fields examined; yeasts and spores about 180 per one-sixtieth cubic millimeter, and bacteria about 140,000,000 per cubic centimeter. This product is too high in bacteria and in yeasts. Adulteration of the product was alleged in the information for the reason that it consisted in whole or in part of a decomposed and putrid vegetable substance, said product containing mold filaments and also yeasts and spores about 180 per one-sixtieth millimeter, and also containing about 140,000,000 bacteria per cubic centimeter.

An April 17, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$50 and costs.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 19, 1913.*

