

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 761, FOOD AND DRUGS ACT.

ADULTERATION OF CATSUP.

On or about October 26, 1910, A. C. Soper & Co., Farmingdale, N. J., shipped from the State of New Jersey into the State of New York two barrels of catsup. An examination made by the Bureau of Chemistry, United States Department of Agriculture, of samples taken from the above shipment showed the product to contain 173,000,000 bacteria per cubic centimeter, 105 yeast and spores per one-sixtieth cubic millimeter, and mold filaments in 79 per cent of the microscopic fields examined. As it appeared from the above examination and report made that the product was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, and liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of New York.

In due course a libel was filed in the District Court of the United States for said district against the said two barrels of catsup, charging the above shipment and alleging that the product was adulterated in that it was in whole or in part filthy, putrid, and decomposed, and praying seizure and condemnation of the product.

On December 1, 1910, the case came on for hearing and no claimant to the product having appeared and no answer having been filed and the court being fully informed in the premises, issued its decree condemning and forfeiting said two barrels of catsup to the use of the United States for the cause set forth in the said libel and ordering its destruction by the marshal of said district.

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 8, 1911.*

