

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 821, FOOD AND DRUGS ACT.

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### ADULTERATION OF TOMATO CATSUP.

On or about December 10, 1910, R. C. Chance's Sons, Mount Holly, N. J., shipped from the State of New Jersey into the State of Massachusetts two consignments of tomato catsup of, respectively, 350 and 175 cases. The 350 cases were labeled: "Mayflower Brand Tomato Catsup;" 100 of the remaining cases were labeled: "Home Brand Tomato Catsup;" and the remaining 75 cases were labeled: "Sogood brand Tomato Catsup," all of these products having been manufactured by R. C. Chance's Sons, Mount Holly, N. J. Samples of these products were procured and examined by the Bureau of Chemistry, United States Department of Agriculture. The sample from the 350 cases showed yeasts and spores at the rate of 65 per one-sixtieth cmm, bacteria 150,000,000 per cc, with mold filaments in 75 per cent of the microscopic fields examined. The sample from the 100 cases showed yeasts and spores at the rate of 63 per one-sixtieth cmm, bacteria 127,000,000 per cc, with mold filaments present in 80 per cent of the microscopic fields examined. The sample from the 75 cases showed yeasts and spores at the rate of 55 per one-sixtieth cmm, bacteria 150,000,000 per cc, with mold filaments present in 85 per cent of the microscopic fields examined. As the findings of the analyst and report thereon indicated that the products were liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Massachusetts.

In due course libels were filed in the District Court of the United States for said district against the said 350 cases and 175 cases of tomato catsup, respectively, charging the above shipments and alleging the products so shipped to be adulterated within the meaning of the act, in that they consisted in part of filthy, decomposed, and putrid animal and vegetable substances, and praying seizure, condemnation, and forfeiture of the products.

On January 27, 1911, the causes came on for hearing and the court, being fully informed in the premises, issued its decree finding the said products to be adulterated as charged in the above libels, and ordering the destruction thereof 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., *March 21, 1911.*

