

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1055.

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

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### ADULTERATION OF TOMATO KETCHUP.

On April 17, 1911, the United States Attorney for the District of New Jersey, acting upon the report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against A. C. Soper & Co., alleging shipment, in violation of the Food and Drugs Act, on September 19, 1910, from the State of New Jersey into the State of New York of three barrels of tomato catsup which was adulterated. The product was labeled: "L. C. Soper & Co., Long Island Brand Ketchup. Made from tomato pulp, spices, flour, salt. Preserved with approximately  $\frac{1}{5}$  of 1% benzoate of soda, New York."

Analysis by the Bureau of Chemistry showed the product to contain yeasts and spores 107 per one-sixtieth cmm., bacteria estimated at 180,000,000 per cc., with mold filaments present in 75 per cent of the microscopic fields examined. Adulteration was alleged for the reason that said product consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance; that is to say, tomatoes containing yeasts, spores, bacteria, and molds.

On June 5, 1911, the defendant entered a plea of non vult and sentence was suspended by the court.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *August 9, 1911.*

