

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1064.

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

ADULTERATION OF TOMATO PULP.

On March 31, 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 B. S. Ayars & Sons Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on July 12, 1910, from the State of New Jersey into the State of New York, of a quantity of tomato pulp which was adulterated. The label on the cases containing said product bore the statement "Emerson Brand Tomato Pulp, Packed by B. S. Ayars & Sons Company, Bridgeton, New Jersey."

Analysis made by the Bureau of Chemistry of the United States Department of Agriculture of a sample of this product showed the following results: Mold filaments present in about one-tenth of all microscopic fields examined; yeasts and spores about 500 per one-sixtieth cmm.; bacteria about 25,000,000 per cc. Adulteration was alleged for the reason that said product consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, as shown by the aforesaid analysis.

On May 1, 1911, the defendant pleaded non vult and sentence was suspended by the court.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *August 15, 1911.*

