

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1709.

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

ADULTERATION OF TOMATO CATSUP.

On November 2, 1911, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases each containing 2 dozen bottles of catsup, remaining unsold in the original unbroken packages and in possession of the Adam Roth Grocery Co., a corporation, St. Louis, Mo., alleging that the product had been shipped on or about October 12, 1911, from the State of New Jersey into the State of Missouri and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On cases) "2 Doz. No. 12 Squirrel Brand Catsup, prepared with 1-10 of 1 per cent Benzoate of soda. Adam Roth Grocery Co. St. Louis." (On bottle) "Squirrel Brand Catsup. Contains 1-10 of 1 per cent Benzoate of Soda. Distributed by Adam Roth Gro. Co., St. Louis."

Adulteration was alleged in the libel for the reason that the product was intended for use as food and contained a large number of bacteria, yeasts, spores, and mold filaments, and consisted in large part and to an injurious extent of filthy and decomposed vegetable substances, and further, in that a substance, to wit, filthy and decomposed vegetable substances, had been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality; and that the product was of a deleterious character within the meaning of the Act.

On February 5, 1912, no claimant having appeared for the product, and the court having found that it had been shipped in interstate commerce by R. V. Crine Seed Co., Morganville, N. J., judgment of condemnation and forfeiture was entered and it was further ordered that the 228 cases of the product that had been seized should be destroyed by the United States marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., August 5, 1912.

