

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1872.

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

ADULTERATION OF TOMATO CATSUP.

On March 28, 1912, the United States Attorney for the District of New Jersey, 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 5 barrels of tomato catsup remaining unsold in the original unbroken packages and in possession of Peter Dodd, Newark, N. J., alleging that the product had been shipped on or about March 4, 1912, by the Huss Edler Preserve Co., Chicago, Ill., and transported from the State of Illinois into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The product was unlabeled except for a small paper strip across the head of each barrel, reading: "Contains 1/10 of 1% Benzoate of Soda," and shipping tag reading: "From Huss Edler Preserve Company 612-622 West Kenzie Street, Chicago, to Peter Dodd, Newark, N. J. via S U."

Adulteration was alleged in the libel for the reason that the product consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, that is to say, tomatoes containing yeasts, spores, bacteria, mold filaments, decayed tissue in excessive amounts, and bacterial débris.

On June 21, 1912, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 28, 1912.*