

**3805. Adulteration of tomato pulp. U. S. v. Valentine G. Spindler. Plea of guilty. Fine, \$15. (F. & D. No. 6185. I. S. No. 5446-h.)**

On March 6, 1915, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Valentine G. Spindler, Halethorpe, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 6, 1913, from the State of Maryland into the State of Missouri, of a quantity of tomato pulp which was adulterated. The product was labeled: (On tin can) "Halethorpe Brand Tomato Pulp Made from pieces and trimmings of tomatoes. Contents 10 oz. or over. Insist on Halethorpe Brand and you will always be satisfied. (Monogram VGS) Halethorpe Brand Packed by V. G. Spindler Halethorpe, Md." (Shipping package) (On cases; some not labeled; on others) "Packed in sanitary cans sealed without solder or acid."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results in the four samples examined: Yeasts and spores per one-sixtieth cubic millimeter, (A) 32, (B) 22, (C) 23, (D) 17; bacteria per cubic centimeter, (A) 30,000,000, (B) 32,000,000, (C) 17,000,000, (D) 14,000,000; mold filaments in (A) 68 per cent, (B) 68 per cent, (C) 88 per cent, (D) 50 per cent of the microscopic fields examined; small moldy fragments of tomato can be picked from each of these samples; the product is made from partly decayed tomatoes or parts of tomatoes; a partially decomposed vegetable product.

Adulteration of the product was alleged in the information for the reason that it consisted, in whole or in part, of a filthy and decomposed vegetable substance.

On March 6, 1915, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 8, 1915.*