

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1267.

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

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### ADULTERATION OF TOMATO PULP.

On October 6, 1911, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against the Hearn Co., a corporation, alleging shipment by it, in violation of the Food and Drugs Act, on or about October 6, 1910, from the State of Maryland into the State of Pennsylvania of 10 barrels of tomato pulp which was adulterated. The product was labeled: "Tomato Pulp. Packed by The Hearn Co., Cambridge, Md. This package contains 6 oz. Benzoate Soda."

Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to contain yeasts and spores at the rate of 80 per one-sixtieth cmm., with numerous bacteria estimated at 120,000,000 per cc., molds being present in practically 100 per cent of the fields. Adulteration was alleged because said product consisted in part of a filthy, decomposed, and putrid vegetable substance, as shown by the aforesaid analysis.

On October 6, 1911, the defendant pleaded guilty and was fined \$10.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *January 5, 1912.*