

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1268.

(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 Charles G. Summers & Co. (Inc.), Baltimore, Md., alleging shipment by it, in violation of the Food and Drugs Act, on or about November 30, 1910, from the State of Maryland into the State of Kentucky of 200 cases of tomato pulp which was adulterated. The product was labeled: "4 Dozen No. 1 Conqueror Brand Tomato Pulp. Chas. G. Summers & Co., Incorporated, Jessup, Md." (Stencil) "Chas. G. Summers, Jessup, Md., Waking, Louisville, Ky." (On can) "Conqueror Brand Tomato Pulp for soup; Farms and Factory, Jessup, Md. Office, Baltimore, Md. (Guaranty Legend) Serial No. 16559. Tomato Pulp for soup. Conqueror Brand. Trade Mark Registered. Charles G. Summers & Co., Canners, Distributers, Baltimore, Md."

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 45 per one-sixtieth cmm., bacteria, 500,000,000 per cc., with mold filaments in 56 per cent of the microscopic fields examined. Adulteration was alleged for the reason that the 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 6, 1912.*