

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1270.

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

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 Torsch Packing Co., a corporation, Baltimore, Md., alleging shipment by it, in violation of the Food and Drugs Act, on or about November 17, 1910, from the State of Maryland into the State of Illinois of 100 cases of tomato pulp which was adulterated. The product was labeled: "Peerless Brand (cut of tomato) for soup. Made from tomatoes and tomato trimmings—Tomato pulp. Packed by Torsch Packing Co., Baltimore, Md., and Milford, Del., U. S. A. Peerless Brand—They are Peerless in name, quality and flavor."

Examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to contain bacteria 5,000,000 per cc., yeasts and spores 19 per one-sixtieth cmm., with mold filaments present in 90 per cent of the microscopic fields examined. Adulteration was alleged against said product because it 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.*