

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1827.

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

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### ADULTERATION OF TOMATO CATSUP.

On June 10, 1912, the United States Attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pierce City Packing Co., a corporation, Pierce City, Mo., alleging that said company, unlawfully, knowingly, and willfully sold and delivered under a general guaranty a quantity of tomato catsup which was adulterated in violation of the Food and Drugs Act, and that on March 14, 1911, the purchaser of the goods, without changing them in any particular, shipped a portion thereof from the State of Missouri into the State of Kansas. The product was labeled: "Diamond Brand Tomato Catsup. Contains 1/10 of 1 per cent of benzoate of soda. Packed by Pierce Packing Company, Pierce City, Mo."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Mold filaments present in about 30 per cent of all microscopic fields examined. Yeasts and spores about 70 per one-sixtieth cubic millimeter and bacteria about 400,000,000 per cubic centimeter, and that on account of the great number of organisms present in said product it is composed in whole or in part of a decomposed vegetable substance. Adulteration was alleged in the information for the reason that it was represented that the product labeled as set forth above was a tomato catsup, whereas, in truth and in fact, it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On June 11, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$50 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *October 19, 1912.*

