

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 2049.

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

### ADULTERATION OF CATSUP.

On May 8, 1912, the United States Attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against E. C. Flaccus Co., a corporation, Wheeling, W. Va., alleging shipment by said company, in violation of the Food and Drugs Act, during the month of November, 1911, from the State of West Virginia into the State of New York, of a quantity of catsup which was adulterated. The product was labeled: "Guarantee of purity. The E. C. Flaccus Co., Wheeling, W. Va. U. S. A. Stag Brand Flaccus Catsup preserved with 1/10 of 1% Benzoate of Soda. Prepared by the E. C. Flaccus Co., Wheeling, W. Va., U. S. A."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Yeasts and spores, 85 per one-sixtieth cmm.; bacteria numerous, estimated at not less than 225,000,000 per cubic centimeter; mold filaments in 32 per cent of the microscopic fields; bacterial débris, abundant. Adulteration of the product was alleged in the information for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On October 19, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$10 and costs.

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

WASHINGTON, D. C., November 30, 1912.

