

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2202.

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

ADULTERATION OF CANNED TOMATOES.

On November 4, 1912, the United States Attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Roberts, James H. Roberts, Oliver P. Roberts, Samuel H. Roberts, and James O. Langrall Roberts, copartners, trading as Roberts Bros., Baltimore, Md., alleging shipment by them, in violation of the Food and Drugs Act, on October 3, 1911, from the State of Maryland into the State of Louisiana, of a quantity of canned tomatoes which were adulterated. The product was labeled: (On shipping case) "2 doz., No. 2. Roberts Bros., Big R Brand Trade Mark, Tomatoes, Baltimore, Md., S. Bros. Co., New Orleans, La." (On can) "Big R Brand Hand Packed Tomatoes. Our finest Quality Tomatoes, Big R Brand, Hand Packed for Roberts Bros. Main Office, Baltimore, Md."

Analysis of samples of the product by the Bureau of Chemistry of this Department showed the following results: (Can No. 1) Solids, 3.85 per cent; reducing sugars, invert, 1.58 per cent; acidity, as citric acid, 0.32 per cent; solids in juice, 3.30 per cent; reducing sugars, invert in juice, 1.59 per cent. (Can No. 2) Solids, 3.86 per cent; reducing sugars, invert, 1.57 per cent; acidity, as citric acid, 0.37 per cent; solids in juice, 3.60 per cent; reducing sugars, invert in juice, 1.58 per cent. (Can No. 3) Solids, 3.77 per cent; reducing sugars, invert, 1.28 per cent; acidity, as citric acid, 0.32 per cent; solids in juice, 3.20 per cent; reducing sugars, invert in juice, 1.35 per cent. (Can No. 4) Salt, 0.20 per cent. The analysis indicates that this product contains at least 15 per cent of added water.

Adulteration of the product was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality

and strength, and for the further reason that a certain substance, to wit, water, had been substituted in part for tomatoes.

On November 4, 1912, a plea of guilty was entered on behalf of defendants and the court imposed a fine of \$5.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 14, 1913.*

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