

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2262.

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

ADULTERATION OF MILK.

On June 29, 1912, the United States Attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Schulte, Sr., Breese, Ill., alleging shipment by him, in violation of the Food and Drugs Act, on July 8, 1911, from the State of Illinois into the State of Missouri of a quantity of milk which was adulterated. The product bore no label.

Bacteriological examination of a sample of the product by the Bureau of Chemistry of this Department showed the following results: 15,000,000 bacteria per cc, plain agar, after 2 days at 37° C.; 10,000,000 bacteria per cc, litmus lactose agar, after 2 days at 37° C., 75 per cent acid; 100,000 *B. coli* group; 10,000 streptococci. Chemical analysis of said sample showed the following results: Specific gravity at 15.5° C., 1.0252; fat by Babcock, 3.15 per cent, 3.2 per cent; solids calculated from fat and specific gravity, 10.26 per cent; solids not fat, 7.06 per cent; nitrates in serum, positive; refraction of serum at 20° C., 36.8; formaldehyde, negative. Adulteration of the product was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, bacteria. (While it was stated in the information in effect that bacteria were filthy, decomposed, and putrid animal substances, the Department does not consider this to be a fact but claims that the stage of decomposition of animal substances can be clearly demonstrated by the abundance and character of bacteria.) The product was further adulterated by having substituted water in part for the said milk, and further by having mixed and packed therewith water so as to reduce, lower, and injuriously affect the quality and strength of the milk.

On November 18, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$10, with costs.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 28, 1913.*

