

**3031. Adulteration of tomato pulp. U. S. v. 250 Cases of Tomato Pulp. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5018. S. No. 1678.)**

On or about February 17, 1913, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cases of tomato pulp, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the product had been shipped on or about January 13, 1913, from the State of New York into the State of California, consigned to Giurlani Brothers Co., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it was filthy and decomposed.

On May 3, 1913, Ignatius Gross, claimant, having filed a stipulation that the product might be condemned, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceeding and the execution of bond in the sum of \$2,500, in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture:*

WASHINGTON, D. C., May 6, 1914.

**3032. Adulteration of milk. U. S. v. James C. Willson. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 5019. I. S. No. 1004-e.)**

On May 27, 1913, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James C. Willson, Osyka, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on October 18, 1912, from the State of Mississippi into the State of Louisiana, of a quantity of milk which was adulterated.

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Water, by drying (per cent).....	89.60
Fat, by Roese-Gottlieb (per cent).....	3.53
Protein, N×6.38 (per cent).....	2.60
Ash (per cent).....	0.96
Undetermined, by difference (per cent).....	3.31
<b>Total (per cent).....</b>	<b>100.00</b>
Total solids, by drying (per cent).....	10.4
Fat in total solids (per cent).....	33.9
Ratio of proteins to fat.....	1:1.36

There was a deposit of dirt about  $\frac{1}{32}$  to  $\frac{1}{16}$  inch thick over bottom of bottle (quart Mason jar). Microscope shows this to consist of sand and clay mixed with decomposed vegetable fibers. The whole milk, and especially the cream, was dark colored. Adulteration of the product was alleged in the information for the reason that substances, to wit, water, sand, clay, and decomposed vegetable matter, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality in that it consisted in part of decomposed vegetable matter, as the defendant well knew.

On November 3, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$10 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 6, 1914.