

6352. Adulteration and misbranding of catsup. U. S. * * * v. Nicholas J. Janson. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 8243. I. S. No. 12550-1.)

On September 5, 1917, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nicholas J. Janson, Cincinnati, Ohio, alleging the receipt in interstate commerce by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 21, 1916, from the State of Kentucky into the State of Ohio, and the delivery by said defendant, in original unbroken packages, to a purchaser thereof, on or about February 22, 1916, of a quantity of an article labeled in part, "Guenther's Best * * * Pure Tomato Catsup, put up by the New Blue Grass Canning Co., Incorporated, Owensboro, Ky.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be partially decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

Misbranding of the article was alleged for the reason that it consisted of food in package form, and the quantity of the contents was not plainly and conspicuously stated on the outside of the packages in terms of weight, measure, or numerical count.

On May 27, 1918, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*