

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

## NOTICE OF JUDGMENT NO. 399, FOOD AND DRUGS ACT.

### ADULTERATION AND MISBRANDING OF VINEGAR.

On or about November 7, 1908, the Spielmann Brothers Co., a corporation, of Chicago, Ill., shipped from the State of Illinois to the State of Minnesota a consignment of a food product labeled "Pure Apple Vinegar," and on June 2, 1909, said corporation made a similar shipment from said State of Illinois to the State of Iowa. Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the Spielmann Brothers Co., and the dealers from whom the samples were procured, opportunities for hearings. As it appeared after hearings held that the said shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence on which to base prosecution.

In due course two criminal informations were filed in the District Court of the United States for the Northern District of Illinois, one for each of said shipments, charging that the product was shipped as above stated and was adulterated within the meaning of the act, because a foreign material, high in reducing sugars, and a dilute acetic acid had been mixed with said article of food so as to reduce, lower, and injuriously affect its quality and strength; and that it was misbranded within the meaning of the act, because it was labeled "Apple Vinegar," which statement was false and misleading and would lead purchasers to believe that said article was an apple vinegar, whereas, in truth and in fact, it was a mixture of a foreign material high in reducing sugars, a dilute acetic acid, and cider vinegar artificially prepared in imitation of apple vinegar.

On December 31, 1909, the said defendant entered a plea of guilty to the above informations and the court imposed upon it a fine of \$12.50 in each case.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *May 23, 1910.*

