

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 570, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about April 29, 1909, Henry Erdmann and George Erdmann, trading as H. Erdmann's Sons, Philadelphia, Pa., shipped from the State of Pennsylvania to the State of Delaware a consignment of vinegar labeled: "Purity Brand Old Stock Apple Cider Vinegar John T. Clark Co., Distributors, Wilmington, Del."

Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report thereon 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 said H. Erdmann's Sons and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Pennsylvania against the said H. Erdmann's Sons, charging the above shipment and alleging that the product so shipped was adulterated, in that each of the wooden packages in which said product was shipped contained certain substances, to wit, dilute acetic acid, and a foreign material high in reducing sugars, which had been substituted wholly or in part for the apple cider vinegar alleged in the label aforesaid to be contained therein; and in that the said product was artificially colored in a manner whereby its inferiority was concealed; and alleging the product to be misbranded, because the label above set forth was false and misleading in representing that the said packages contained pure apple cider vinegar, whereas, in truth and in fact, the contents of said packages were not pure apple cider vinegar, but a mixture of cider vinegar, dilute acetic acid, and a foreign material high in reducing sugars, colored in imitation of cider vinegar.

On March 17, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$25.

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

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *August 20, 1910.*

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