

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 645, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about December 9, 1908, the Steinhorst-Morrin Pickle Company, a corporation, Kansas City, Mo., shipped from the State of Missouri to the State of Texas 20 barrels of liquid, each of which barrels was labeled on one end "Eagle Brand Vinegar. Steinhorst-Morrin Pickle Co., Kansas City, U. S. A.," and on the other end "Corn Vinegar. Distilled 8 per cent. Caramel color. 49 gallons. Turner & Dinger;" and on or about March 22, 1909, the said Steinhorst-Morrin Pickle Company shipped from the State of Missouri to the Territory of Arizona 2 barrels of liquid, each of which barrels bore on one end the same label as the first above set forth, and on the other end "Corn Vinegar. Distilled 9 per cent. Caramel colored. 49 gal. Bottoms & T. Prescott, Ariz." Samples from these shipments 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 Steinhorst-Morrin Pickle Company and the parties 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 upon which to base a prosecution.

In due course two criminal informations were filed in the District Court of the United States for the Western District of Missouri against the said Steinhorst-Morrin Pickle Company, charging the said two shipments and alleging that the product so shipped was adulterated, in that dilute acetic acid had been mixed and packed

therewith so as to reduce, lower, and injuriously affect the quality and strength of said product, and in that the liquid had been colored with caramel in a manner whereby it was made to resemble and counterfeit vinegar and whereby damage and inferiority of the product was concealed; and alleging the product to be misbranded, in that it was labeled as above set forth, when, in truth and in fact, the product was an imitation of cider vinegar offered for sale under the distinctive name of another and different article than the contents of the above mentioned barrels, the said labels being such as to deceive and mislead purchasers of the product.

On May 13, 1910, the defendant entered a plea of nolo contendere to each of the above informations and the court imposed a fine of \$25 and costs 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., *October 6, 1910.*

