

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 864, FOOD AND DRUGS ACT.

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### ADULTERATION AND MISBRANDING OF VINEGAR.

On or about July 26, 1910, the Union Vinegar Company, Cincinnati, Ohio, shipped from the State of Ohio into the State of Indiana 100 barrels of vinegar, labeled: "Orchard Brand Pure Fermented Cider Vinegar—49—June 1910. Union Vinegar Company, Cincinnati, O." Analysis of samples of this product, made by the Bureau of Chemistry, United States Department of Agriculture, showed it to consist of a dilute vinegar to which a foreign substance consisting of a product high in reducing sugars had been added, and thus to be adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the said shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Indiana.

In due course a libel was filed in the District Court of the United States for the said district against the said 100 barrels of vinegar, charging the above shipment and alleging the product so shipped to be adulterated in that the said barrels and each of them contained a product with which had been mixed a substance high in reducing sugars so as to reduce and lower its quality; and alleging the product to be misbranded in that the statements in the labels, above set forth, as to the ingredients and substances contained in said product, representing the product to be cider vinegar, were false and misleading because, in truth and in fact, the product was an imitation of cider vinegar, said statements being calculated to deceive and mislead the purchaser thereof.

On October 4, 1910, Samuel W. Jennings and Carl C. Jennings filed a claim as owners of the vinegar and also filed an answer admitting the allegations of the libel, whereupon the court, being fully

informed in the premises, issued its decree, finding that all the allegations of said libel were true and condemning the 84 barrels of vinegar actually seized as being misbranded as alleged in said libel, and ordered that the said 84 barrels of vinegar be released to the claimants upon the payment of the costs and the filing of a bond conditioned that the product should not be disposed of in violation of the Food and Drugs Act.

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., *May 5, 1911.*

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