

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 985, FOOD AND DRUGS ACT.

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#### ADULTERATION AND MISBRANDING OF CIDER VINEGAR.

On or about April 7, 1910, the Oakland Vinegar and Pickle Company, a corporation, Saginaw, Mich., shipped from the State of Michigan into the State of Wisconsin a quantity of vinegar labeled as follows: "Oakland Vinegar and Pickle Company, 4% Apple Brand Oakland Cider Vinegar, Fermented, 46 Gals., Saginaw, Mich." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to consist of a mixture of dilute acetic acid or distilled vinegar and a product high in reducing sugars, prepared in imitation of cider vinegar. As the above analysis and report thereon showed 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 Oakland Vinegar and Pickle Company, Incorporated, and the party from whom the samples were procured opportunities for hearing. As it appeared after hearings held that the 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.

On January 30, 1911, a criminal information was filed in the District Court of the United States for the Eastern District of Michigan against the said Oakland Vinegar and Pickle Company, Incorporated, charging the above shipment, and alleging that the product so shipped was adulterated in that a mixture of dilute acetic acid or distilled vinegar and a product high in reducing sugars had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and in that said mixture of dilute acetic acid or distilled vinegar and a product high in reducing sugars had been substituted wholly or in part for the genuine cider vinegar.

The information also alleged that the product was misbranded in that the label thereon was false and misleading because it deceived the purchaser into the belief that the product was pure cider vinegar, prepared from apples, whereas in truth and in fact it was a mixture of dilute acetic acid or distilled vinegar and a product high in reducing sugars, prepared in imitation of cider vinegar.

On April 11, 1911, the defendant entered a plea of nolo contendere to the above information, whereupon the court imposed a fine of \$2.

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., *June 24, 1911.*

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