

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1206.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF VINEGAR.

On May 26, 1911, the United States Attorney for the Western District of Wisconsin, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 51 barrels of vinegar in the possession of Gould, Wells & Blackburn Co., of Madison, Wis. Each barrel was labeled: "Barrett and Barrett Brand Cider Vinegar 45 gr.—47 gals."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results:

	Grams per 100 cc.
Specific gravity 15.6°C/15.6°C.....	1.0127
Solids.....	1.44
Nonsugar solids.....	.94
Reducing sugar invert before inversion (mg).....	503
Per cent sugar in solids.....	34.9
Polarization direct, temperature 20° C (°V.).....	-0.4
Ash.....	.344
Alkalinity of soluble ash (cc N/10 acid per 100 cc).....	37.6
Soluble phosphoric acid (mg per 100 cc).....	16.2
Acid, as acetic.....	4.47
Volatile acid, as acetic.....	4.46
Fixed acid, as malic.....	.007
Lead precipitate.....	medium
Color, degrees, brewer's scale (0.5 in. cell).....	5.5
Color removed by fuller's earth (per cent).....	64

The libel alleged that the vinegar, after shipment by Barrett & Barrett, Chicago, Ill., from the State of Illinois into the State of Wisconsin, remained in the original unbroken packages, and was adulterated and misbranded in violation of the Food and Drugs Act

of June 30, 1906, and was therefore liable to seizure for confiscation. Adulteration was alleged for the reason that a substance, to wit, a dilute solution of acetic acid or distilled vinegar, had been mixed with the article so as to reduce or lower or injuriously affect its quality or strength and had been substituted in part therefor. Misbranding was alleged for the reason that said product was an imitation of and sold under the distinctive name of another article, to wit, cider vinegar, when, in fact, the product was not cider vinegar but a dilute solution of acetic acid or distilled vinegar; and for the further reason that the words "cider vinegar", appearing on said label, were therefore false and misleading and calculated to deceive and mislead the purchaser.

On September 16, 1911, the case coming on to be heard and no one having appeared as claimant or filed answer, the court found the product adulterated and misbranded as alleged in the libel and that the United States was entitled to a decree of condemnation as prayed for. Accordingly a decree was entered on that day, condemning and forfeiting the product to the United States and ordering it to be properly labeled and sold by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 15, 1911.*