

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1795.

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

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### MISBRANDING OF VINEGAR.

On October 5, 1909, the United States Attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Davenport Vinegar & Pickling Works, a corporation, Davenport, Iowa, alleging shipment by said company, in violation of the Food and Drugs Act, on February 1, 1909, from the State of Iowa into the State of Illinois of a quantity of vinegar which was misbranded. The product was labeled: "Davenport Vinegar and Pickling Works. 45 Gr. Cider Vinegar. 50 gal. Davenport Vinegar and Pickling Works, Davenport, Iowa."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Solids (grams per 100 cc.), 3.69; nonsugar solids (grams per 100 cc.), 0.68; reducing sugar invert (grams per 100 cc.), 3.01; polarization direct temperature, 20° C., -7.2° V., polarization invert temperature, 20° C., -7.2° V.; ash (grams per 100 cc.), 0.16; ash, soluble in water (grams per 100 cc.), 0.10; ash, insoluble in water (grams per 100 cc.), 0.05; soluble phosphoric acid (mg. per 100 cc.), 1.98; insoluble phosphoric acid (mg. per 100 cc.), 2.47; acid, as acetic (grams per 100 cc.), 4.25; volatile acid, as acetic (grams per 100 cc.), 4.11; fixed acid as malic (grams per 100 cc.), 0.16; color, degrees brewer's scale 0.5 in. cell, 7.0; fuller's earth test, 23 per cent. Misbranding was alleged in the information for the reason that the product was an imitation of another article, and that the labeling and branding was such as to deceive and mislead the purchaser and cause him to believe the product to be cider vinegar, when as a matter of fact and in truth it was a liquid represented as vinegar to which had been added a substance, a mixture of

dilute acetic acid and a foreign substance high in reducing sugars added and packed with it so as to reduce, lower, and injuriously affect its quality or strength, and that said added substance had been substituted in whole or in part for cider vinegar; that it was mixed in a manner whereby damage and inferiority was concealed, and that it was labeled and branded so as to mislead and deceive the purchaser, being labeled cider vinegar, when as a matter of fact it was a dilute solution of acetic acid mixed with a foreign substance high in reducing sugars, the said mingling, mixing, and misbranding being in violation of said act. This case was recommended for prosecution upon the charge of adulteration and misbranding, but misbranding only was alleged in the information.

On September 20, 1910, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *October 3, 1912.*

