

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1822.

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

ADULTERATION AND MISBRANDING OF VINEGAR.

On November 1 and 2, 1911, the United States Attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 300 barrels of vinegar remaining unsold in the original unbroken packages, 100 barrels of which were in possession of the Green & DeLaittre Co. (Inc.), Minneapolis, Minn., and 200 barrels of which were in possession of Barrett & Barrett (Inc.), St. Paul, Minn., alleging that the product had been shipped on September 28, September 21, and September 27, 1911, by Spielmann Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Guaranteed Cider Vinegar—6 percentum. Spielmann Bros. Co., Mfrs.—G Minneapolis Pure Cider Vinegar—5446." "Guaranteed Cider Vinegar—6 percentum. Spielmann Bros. Co. Mfrs.—B St. Paul, Minn. 4092, 4091."

Adulteration was alleged in the libels for the reason that substances had been mixed with the vinegar so as to reduce and lower its quality and strength, and that substances had been substituted in part for the vinegar, in that a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars and foreign mineral matter had been mixed and substituted with and in said vinegar. Misbranding was alleged for the reason that the vinegar was an imitation of and offered for sale under the distinctive name of another article, to wit, cider vinegar, and was labeled and branded so as to deceive and mislead the purchaser thereof, in that it was a product artificially prepared, mixed, and compounded so as to resemble and purport to be a genuine article of food, to wit, cider vinegar, but added to and intermixed therein was a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars and foreign mineral matter.

On June 13, 1912, said Spielmann Bros. Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be released and delivered to said claimant upon payment of the costs of the proceedings, amounting to \$170.81, and the execution of a bond in the sum of \$1,200, in conformity with section 10 of the Act.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 18, 1912.*

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