

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1832.

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

MISBRANDING OF VINEGAR.

On February 28, 1912, 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 a libel for the seizure and condemnation of 21 barrels of vinegar remaining unsold in the original unbroken packages and in possession of Barrett & Barrett (Inc.), St. Paul, Minn., alleging that the product had been shipped on or about February 14, 1912, by Spielmann Bros. Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and alleging misbranding in violation of the Food and Drugs Act. The product was labeled: "Guaranteed Cider Vinegar—6 per centum—Spielmann Bros. Co. Mfrs."

Misbranding was alleged in the libel for the reason that the label attached to each of the 21 barrels of the product bore a statement and device regarding the contents of the barrels, to wit, the figure and words "6 per centum," which said statement and device was false and misleading, in that by said statement and device the product was declared and purported to contain 6 per cent acid, whereas in truth and in fact it did not contain 6 per cent acid, but contained a quantity less than 6 per cent acid.

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 delivered to said claimant upon payment of the costs of the proceedings, amounting to \$25.15, and the execution of bond in the sum of \$200 in conformity with section 10 of the Act.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 21, 1912.*