

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1871.

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

MISBRANDING OF RASPBERRY VINEGAR.

On May 29, 1912, the United States Attorney for the Eastern District of Pennsylvania, 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 25 cases, each containing 24 so-called pint bottles of raspberry vinegar, remaining unsold in the original unbroken packages and in possession of the Pennsylvania Railroad Co., at Philadelphia, Pa., alleging that the product had been shipped on or about May 24, 1912, by the Crown Cordial & Extract Co., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "Two Dozen Pints Raspberry Vinegar." (On bottles) "H. G. Brand Raspberry Vinegar."

Misbranding was alleged in the libel for the reason that the product bore the labels set forth above, which said statement on the label was false and misleading in that it purported to state in terms of measure the contents of each of the cases, to wit, 2 dozen pints raspberry vinegar, which said statement did not correctly state the contents of the cases in that each of the 2 dozen bottles contained in each of the cases did not contain one pint of the product, but on the contrary contained from 334 to 380 cubic centimeters.

On June 19, 1912, the said Crown Cordial & Extract Co., claimant, New York, N. Y., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was further ordered that upon payment of all costs of the proceedings, amounting to \$11.40, and the execution of a bond in the sum of \$300, in conformity with section 10 of the Act, the product should be released and delivered to said claimant.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 28, 1912.*