

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1884.

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

MISBRANDING AND ALLEGED ADULTERATION OF VINEGAR.

On July 28, 1911, the United States Attorney for the District of Massachusetts, 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 75 barrels of so-called cider vinegar, remaining unsold in the original unbroken packages and in possession of parties to the United States Attorney unknown, alleging that the product had been shipped by Place Bros., Oswego, N. Y., from the State of New York into the State of Massachusetts and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Place Brothers—Cider Vinegar—Extra Old Farm Orchard Brand—Oswego, N. Y.—Test No. 9—Guaranty legend—Place Brothers—Not made by a trust".

Adulteration was alleged in the libel for the reason that a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars and foreign mineral matter, which had been prepared in imitation of cider vinegar, had been substituted in part for the product. Misbranding was alleged for the reason that the product was labeled and branded "Cider Vinegar", which would deceive and mislead the purchaser to believe that the product was cider vinegar, whereas, in truth and in fact, it was not cider vinegar, but a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars and foreign mineral matter which had been prepared in imitation of cider vinegar.

On June 25, 1912, decree of condemnation and forfeiture was entered, the court finding that the product was misbranded. It was further ordered that upon payment of the costs of the proceedings by said Place Bros., claimants, amounting to \$76.50, and the execution of bond in conformity with section 10 of the Act, the product should be released and delivered to said claimants.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 29, 1912.*

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