

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2472.

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

U. S. v. Spielmann Bros. Co. Plea of guilty. Fine, \$100 and costs.

ADULTERATION AND MISBRANDING OF VINEGAR.

On June 3, 1912, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Spielmann Bros. Co., a corporation, Chicago, Ill., alleging the sale by said defendant, under a guaranty, on February 21, 1910, of a quantity of vinegar, which was adulterated and misbranded in violation of the Food and Drugs Act. The information alleged that said product, without having been changed in any particular except that it was repacked in bottles, was, on March 17, 1910, shipped by the purchaser from the State of Illinois into the State of Oklahoma, in violation of said act. The product was labeled: "Red Jacket Cider Vinegar, Reid, Murdock & Co., Distributors."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Solids (grams per 100 cc), 2.0; nonsugar solids (grams per 100 cc), 0.876; reducing sugars invert (grams per 100 cc), 1.12; sugar in solids (per cent), 56.1; polarization direct, -2.0° V.; ash (grams per 100 cc), 0.32; alkalinity soluble ash (cc N/10 acid per 100 cc), 37.6; soluble phosphoric acid (mg per 100 cc), 9.5; insoluble phosphoric acid (mg per 100 cc), 6.9; acid, as acetic (grams per 100 cc), 4.2; volatile acid, as acetic (grams per 100 cc), 4.2; fixed acid, as malic, none; lead precipitate, rather heavy; color removed by fuller's earth, 56.0 per cent; alcohol precipitate (grams per 100 cc), 0.067; pentosans (grams

per 100 cc), 0.0722. All measurements made at 20° C. Adulteration of the product was alleged in the information for the reason that a certain substance, to wit, a dilute solution of acetic acid, otherwise known as distilled vinegar, and a product containing a high percentage of reducing sugars which had been manufactured in imitation of pure apple cider vinegar was substituted wholly for the product. Adulteration was alleged for the further reason that a certain substance, to wit, apple cider vinegar and a solution of acetic acid, otherwise known as distilled vinegar, fortified with apple cider which had been manufactured in imitation of genuine apple cider vinegar, was substituted wholly for the product. Misbranding was alleged for the reason that the product was labeled as set forth above, which said label purported to state that the product was a genuine apple cider vinegar, whereas, in truth and in fact, it was not a genuine apple cider vinegar but consisted of apple cider and a solution of acetic acid, otherwise known as distilled vinegar, fortified with apple cider in imitation of pure apple cider vinegar.

On February 21, 1913, the defendant company withdrew its former plea of not guilty and entered a plea of guilty to the information and the court imposed a fine of \$100 and costs.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *May 28, 1913.*