

**3741. Misbranding and alleged adulteration of cider vinegar. U. S. v. 34 Barrels of Cider Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 5981. I. S. No. 906-k. S. No. E-128.)

On October 5, 1914, the United States attorney for the District of New Hampshire, 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 34 barrels of cider vinegar, remaining unsold in the original unbroken packages at Concord, N. H., alleging that the product had been shipped and transported from the State of Vermont into the State of New Hampshire, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it purported to be cider vinegar, when, in fact, it was not cider vinegar, but a mixture consisting in part of dilute acetic acid or distilled vinegar, and a material high in reducing sugar, which had been mixed and packed with and substituted for cider vinegar in such manner as to reduce and lower and injuriously affect its quality and strength.<sup>1</sup>

On December 15, 1914, the estate of Laura S. Olmstead, doing business under the name of the Orange County Manufacturing Co., claimants, Newbury, Vt., having admitted the misbranding of the product but denying the adulteration thereof and denying any intention to violate the laws of the United States and consenting to the prayer for the condemnation of the property, judgment of condemnation and forfeiture was entered, the court finding the product misbranded, and it was ordered by the court that the same should be redelivered to the said claimants upon payment of all the costs of the proceedings and the execution of bond in the sum of \$200, in conformity with section 10 of the act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *April 19, 1915.*

---

<sup>1</sup> When this case was reported for action it was maintained by the Department of Agriculture that the product was misbranded for the reason that it was branded "Cider Vinegar," when in fact it was not cider vinegar, but consisted of a mixture composed in part of dilute acetic acid or distilled vinegar and a material high in reducing sugar.