

**5413. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 25 Barrels of Vinegar and 45 Barrels of Vinegar. Consent decrees of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 7954, 7955. I. S. No. 3717-m. S. No. E-786.)**

On January 8, 1917, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 25 barrels of vinegar and 45 barrels of vinegar, remaining unsold in the original unbroken packages at Providence and Pawtucket, R. I., alleging that the article had been shipped on or about November 23, 1916, by Libby, McNeil & Libby, Chicago, Ill., and transported from the State of Illinois into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Libby, McNeil & Libby, Chicago, Ills. U. S. A. Pure Apple Cider Vinegar, Reduced to 4½ per cent Acetic Strength 45 grain."

Adulteration of the article was alleged in the libels for the reason that vinegar made from dried apple product had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure apple cider vinegar.

Misbranding was alleged in substance for the reason that the statement, appearing on the label, to wit, "Pure Apple Cider Vinegar," was false and misleading and deceived and misled the purchaser; and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

On March 10, 1917, the Security Trust Co., receiver of the Williams Brothers Co., Detroit, Mich., claimant, having filed answers to the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$300, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*