

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 687, FOOD AND DRUGS ACT.

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### MISBRANDING OF VINEGAR.

On or about September 28, 1909, the Harbauer-Marleau Company, Toledo, Ohio, shipped from the State of Ohio to the State of Pennsylvania 75 barrels of vinegar, each of which was labeled "Pure Cider Fermented Apple Vinegar Made by Harbauer-Marleau Co., Toledo, O." Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Pennsylvania.

On May 19, 1910, a libel was filed in the District Court of the United States for said district against the said 75 barrels of vinegar, charging the above shipment and alleging the product to be adulterated and misbranded, in that it was not a pure cider vinegar as represented on the label above set forth, but consisted in whole or in part of a dilute solution of acetic acid or distilled vinegar and a product high in reducing sugars, mixed and prepared in imitation of pure cider fermented apple vinegar, and praying seizure and condemnation of the product.

On June 6, 1910, the said Harbauer-Marleau Company filed a claim to the vinegar in question and on the same day the cause coming on for hearing, the court being fully informed in the premises, issued its decree finding the vinegar to be misbranded and ordering that upon the payment of costs and the filing of a satisfactory bond by the claimant in the sum of \$500, to be approved by the court, conditioned that said vinegar should not be sold or otherwise disposed of contrary to law, that said 75 barrels of vinegar should be returned to said claimant.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *November 2, 1910.*

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