

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 917, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about October 16, 1909, P. H. Sugrue, doing business under the firm name of P. H. Sugrue & Co., Cleveland, Ohio, shipped from the State of Ohio into the State of Pennsylvania a quantity of a food product labeled: (On one end of barrels) "Jacob Haller Groc. Co. Pure Cider Vinegar, Erie, Pa."; (on other end of barrels) "50 Sept. 4, 1908. Mfd. by P. H. Sugrue & Co." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to consist wholly or in part of a mixture of dilute acetic acid, or distilled vinegar, and a foreign material, prepared in imitation of cider vinegar. As the findings of the analyst and report thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said P. H. Sugrue and the party from whom the samples were procured were afforded opportunities for hearings. As it appeared after hearings held that the above shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Northern District of Ohio against the said P. H. Sugrue, charging the above shipment and alleging that the product so shipped was adulterated because a substance composed of a mixture of dilute acetic acid, or distilled vinegar, and a foreign material had been mixed and packed with the article above referred to so as to reduce, lower, or injuriously affect the quality and strength of said article, and had been substituted wholly or in part therefor, and alleging that the product was misbranded because it was labeled as above set forth, which label was false and misleading, as the product so shipped was not a pure cider vinegar, but an adulterated product as above set forth, prepared in imitation of and sold under the distinctive name of another article, viz, "Pure Cider Vinegar."

On February 16, 1911, the defendant entered a plea of nolo contendere to the above information, and the court imposed a fine of \$25 and costs.

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

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 26, 1911.*

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