

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1546.

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

ADULTERATION AND MISBRANDING OF VINEGAR.

On August 19, 1911, the United States Attorney for the Southern District of Iowa, 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 80 barrels, more or less, of vinegar, remaining unsold in the original unbroken packages and in possession of Charles Hewitt Sons Co. (Inc.), Des Moines, Iowa, alleging that the product had been shipped on or about July 17, 1911, by the Central City Pickle Co., of Peoria, Ill., and transported from the State of Illinois into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Central City Pickle Co., Cider Vinegar. 49 Gal. Peoria, Ill."

Adulteration was alleged in the libel for the reason that the barrels containing the product, or any of them, did not contain cider vinegar, but in truth and in fact contained, wholly or in part, a mixture of a dilute solution of acetic acid, made from substances other than cider, and a foreign substance high in reducing sugars, and prepared in imitation of cider vinegar, and foreign mineral matters which had been mixed and packed in imitation of true cider vinegar, and had been substituted therefor. Misbranding of the barrels as to the character of their contents was alleged for the reason that the labeling of said barrels as containing pure cider vinegar, whereas certain substances had been substituted therefor, wholly or in part, was misleading and false and was such as to mislead and deceive the purchaser and to enable the offering of the contents for sale as being cider vinegar, when in truth and in fact the same was not such as was offered for sale.

On December 2, 1911, a judgment of condemnation and forfeiture was entered, and it was further ordered that unless bond in conformity with section 10 of the Act, fixed by the court at \$500, was given in ten days the product should be destroyed. On January 18, 1912, this judgment was vacated and it was ordered that this product should be sold to pay the cost of the proceedings.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *May 14, 1912.*

