

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1627.

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

ADULTERATION AND MISBRANDING OF VINEGAR.

On September 28, 1911, the United States Attorney for the District of South Dakota, 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 60 barrels of so-called pure cider vinegar, remaining unsold in the original unbroken packages and in the possession of the Mitchell Fruit & Grocery Co. (Inc.), Mitchell, S. Dak., alleging that the product had been shipped, on or about August 23, 1911, by the Haarmann Vinegar & Pickle Co. (Inc.), Sioux City, Iowa, and transported from the State of Iowa into the State of South Dakota, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "D & L Brand Pure Cider Vinegar 4½ acetic 49 gals. Mf'd. for Mitchell Fruit & Grocery Co., Mitchell, S. D. —49—4½ acetic."

Adulteration was alleged in the libel for the reason that the product consisted in part of a diluted solution of acetic acid or distilled vinegar and foreign material high in reducing sugars and mineral matter, which had been mixed and prepared in imitation of cider vinegar. Misbranding was alleged for the reason that none of the barrels contained pure cider vinegar as they purported to contain but contained an imitation vinegar, consisting of a mixture prepared in imitation of cider vinegar.

On April 12, 1912, the Mitchell Fruit & Grocery Co. (Inc.) and the Haarmann Vinegar & Pickle Co. (Inc.), claimants, having entered their appearance and having filed pleas consenting to a decree, judgment of condemnation and forfeiture was entered and it was further ordered that upon payment of all costs by said claimants and the execution of bond by the Haarmann Vinegar & Pickle Co. (Inc.), in conformity with section 10 of the Act, fixed by the court at \$200, the thirteen barrels of the product that had been seized should be released and delivered to said claimants or either of them.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *June 21, 1912.*