

**3408. Adulteration and misbranding of so-called cider vinegar. U. S. v. J. Levinsohn (Purity Grocers Sundries Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 3500. I. S. No. 11263-d.)**

On August 4, 1913, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Levinsohn, doing business as the Purity Grocers Sundries Co., Chicago, Ill., alleging the shipment by said defendant in violation of the Food and Drugs Act, on July 14, 1911, from the State of Illinois into the State of Indiana, of a quantity of so-called cider vinegar, which was adulterated and misbranded.

An analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Glycerin (grams per 100 cc)-----	0.036
Solids (grams per 100 cc)-----	0.55
Nonsugar solids (grams per 100 cc)-----	0.425
Reducing sugar as invert (grams per 100 cc)-----	0.125
Sugar in solids (per cent)-----	22.7
Polarization, direct, at 20° C. (°V.)-----	0.6
Polarization, invert, at 20° C. (°V.)-----	0.0
Ash (grams per 100 cc)-----	0.12
Alkalinity soluble ash (cc N/10 acid per 100 cc)-----	5.2
Soluble phosphoric acid: Trace.	
Insoluble phosphoric acid (mg per 100 cc)-----	3.64
Acid, as acetic (grams per 100 cc)-----	4.18
Volatile acid, as acetic (grams per 100 cc)-----	4.16
Fixed acid, as malic (grams per 100 cc)-----	0.02
Lead precipitate: Light.	
Color (degrees, brewer's scale, 0.5 in.)-----	10
Color removed by fuller's earth (per cent)-----	62.5
Alcohol precipitate (grams per 100 cc)-----	0.061

An imitation, containing very little if any cider vinegar.

Adulteration of the product was alleged in the information for the reason that a liquid preparation, to wit, a dilute solution of acetic acid, commonly known as distilled vinegar, had been mixed and packed with the article of food aforesaid, so as to reduce and lower and injuriously affect the quality and strength of the article of food aforesaid, and for the further reason that a liquid preparation, to wit, a dilute solution of acetic acid, commonly known as distilled vinegar, had been substituted wholly for the article of food aforesaid, and for the further reason that a liquid preparation, to wit, a dilute solution of acetic acid, commonly known as distilled vinegar, had been substituted in part for the article of food aforesaid, and for the further reason that the article of food aforesaid was colored in a manner whereby inferiority was concealed. Misbranding of the product was alleged for the reason that the bottles packed in the barrels containing the article of food bore a label in words and figures as follows, to wit: "Purity Brand Cider Vinegar, 4% Acetic Acid. Put up by Purity Grocers Sundries Co., Chicago", which said statement on the label, appearing on each of the bottles, was false and misleading in that said statement represented to the purchaser that the article of food was a genuine cider vinegar, conforming to the commercial standard for said article of food, whereas, in truth and in fact, each of the bottles packed in the barrels did not contain genuine cider vinegar, but contained a dilute solution of acetic acid, commonly known as distilled vinegar, which had been mixed and packed with the articles of food aforesaid, so as to reduce and lower and injuriously affect the quality and strength of the article of food aforesaid. Misbranding was

alleged for the further reason that said statement on the label, appearing on each of the bottles, deceived and misled the purchaser into the belief that the article of food was a genuine cider vinegar, conforming to the commercial standard for said article of food, whereas, in truth and in fact, the bottles did not contain genuine cider vinegar, but contained a dilute solution of acetic acid, commonly known as distilled vinegar, which had been mixed and packed with the article of food aforesaid, so as to reduce and lower and injuriously affect the quality and strength of the article of food aforesaid.

On December 15, 1913, the defendant entered a plea of guilty to the information and on January 19, 1914, the defendant was fined \$200 and costs. On June 5, 1914, the defendant's motion to reduce the fine was heard and the fine was reduced to a fine of \$100, with costs.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*