

**4547. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Earl Chandler (B. T. Chandler & Son, and Dixie Sugar Vinegar Co.).**  
**Plea of guilty. Fine, \$500 and costs and six months in the House of Correction.** (F. & D. No. 6769. I. S. Nos. 11719-k, 14512-k, 14514-k, 14515-k, 14516-k.)

On December 30, 1915, 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 in 29 counts against Earl Chandler, trading as B. T. Chandler & Son and as Dixie Sugar Vinegar Co., Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 24, 1915, from the State of Illinois into the State of Indiana, of 4 shipments of so-called cider vinegar, and on or about October 22, 1914, from the State of Illinois into the State of Iowa, of 1 shipment of so-called sugar vinegar, all of which was adulterated and misbranded.

One of the Indiana shipments was labeled: "B. T. Chandler & Son. 40 Grain. E Cider Vinegar. 51 Gal. Chicago."

Analysis of a sample from this shipment by the Bureau of Chemistry of this department showed the following results:

Solids (gram per 100 cc)-----	0.14
Acid, as acetic (grams per 100 cc)-----	4.08
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4.5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

Adulteration of the article was alleged in the information for the reason that distilled vinegar or a dilute solution of acetic acid had been substituted in whole or in part for cider vinegar, which the article purported to be, and, further, for the reason that the product was an inferior article, consisting of distilled vinegar, or a dilute solution of acetic acid, and was colored in a manner whereby its inferiority to cider vinegar was concealed.

Misbranding was alleged for the reason that the following statement appearing on the label aforesaid, to wit, "Cider Vinegar," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers into the belief, that the article was cider vinegar, when, in truth and in fact, it was not cider vinegar, but was, to wit, distilled vinegar, or a dilute solution of acetic acid, artificially colored. Misbranding was alleged for the further reason that the article was distilled vinegar, or a dilute solution of acetic acid, artificially colored, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

Another Indiana shipment was labeled: "B. T. Chandler & Son. 40 Grain. Cider Vinegar. 49 Gal. Chicago." The remaining two Indiana shipments were labeled: "B. T. Chandler & Son. 40 Grain. Cider Vinegar. 48 Gal. Chicago."

Analyses of samples of these shipments by said Bureau of Chemistry showed the following results, respectively:

Solids (gram per 100 cc)-----	0.13
Acid, as acetic (grams per 100 cc)-----	2.99
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	3.0
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

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Solids (gram per 100 cc)-----	0.13
Acid, as acetic (grams per 100 cc)-----	3.17
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4.5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

Solids (gram per 100 cc)-----	0.13
Acid, as acetic (grams per 100 cc)-----	3.10
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4.5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

Adulteration of the article in these three shipments was alleged in the information for the reason that distilled vinegar and water, or a dilute solution of acetic acid, had been substituted in whole or in part for cider vinegar, which the article purported to be, and, further, in that the product was an inferior article, consisting of distilled vinegar and water, or a dilute solution of acetic acid, and had been colored in a manner whereby its inferiority to cider vinegar was concealed.

Misbranding was alleged for the reason that the following statement appearing on the labels aforesaid, to wit: "40 Grain," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers into the belief, that the article contained 4 per cent of acetic acid, when, in truth and in fact, it did not, but contained a less amount thereof, to wit, 2.99 per cent in one shipment, 3.17 per cent in another shipment, and 3.10 per cent in the other shipment, respectively. Misbranding was alleged for the further reason that the following statement appearing on the labels aforesaid, to wit, "Cider Vinegar," was false and misleading in that it indicated to purchasers thereof, and deceived and misled purchasers thereof into the belief, that the article was cider vinegar, when, in truth and in fact, it was not, but was, to wit, distilled vinegar and water, or a dilute solution of acetic acid, artificially colored. Misbranding was alleged for the further reason that the article was distilled vinegar and water, or a dilute solution of acetic acid, artificially colored, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

The shipment to Iowa was labeled: "2 Bbl. 100 Gals. Sugar Vinegar at 9¢ \$9.00."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Alcohol (per cent by volume)-----	0.17
Solids (gram per 100 cc)-----	0.155
Reducing sugar after evaporation (gram per 100 cc)-----	0.036
Acids, as acetic (grams per 100 cc)-----	2.27
Ash (gram per 100 cc)-----	0.018
Alkalinity of ash (cc N/10 acid per 100 cc)-----	1.0
Total phosphoric acid (milligram per 100 cc)-----	0.7
Glycerol (gram per 100 cc)-----	0.02
Color (degrees, Lovibond, $\frac{1}{2}$ inch cell, brewer's scale)-----	4.5
Color removed by fuller's earth: All removed.	

This article consists chiefly of dilute acetic acid or distilled vinegar colored with caramel.

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Adulteration of the article was alleged in the information for the reason that distilled vinegar or a dilute solution of acetic acid had been substituted, in whole or in part, for sugar vinegar, which the article purported to be, and for the further reason that the product was an inferior article consisting of distilled vinegar or a dilute solution of acetic acid, and had been colored in a manner whereby its inferiority to sugar vinegar was concealed.

Misbranding was alleged for the reason that the article was distilled vinegar or a dilute solution of acetic acid artificially colored, and was an imitation of, and offered for sale under the distinctive name of, another article, to wit, sugar vinegar.

It was further alleged in the information that on May 22, 1911, a criminal information was filed in the District Court of the United States for the Northern District of Illinois, charging the defendant with the interstate shipment of vinegar which was adulterated and misbranded, and that, on November 13, 1911, upon a plea of guilty, the defendant was sentenced to pay a fine of \$100 and costs.

On January 31, 1916, the defendant entered a plea of guilty to the present information and, on March 4, 1916, the court imposed a fine of \$500 and costs, and sentenced the defendant to six months in the House of Correction.

CARL VROOMAN, *Acting Secretary of Agriculture.*