

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 13651-13700

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 28, 1925]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

13651. Misbranding and alleged adulteration of vinegar. U. S. v. 36 Barrels of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15483. I. S. No. 218-t. S. No. C-3267.)

On October 18, 1921, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 36 barrels of vinegar, remaining in the original unbroken packages at Robinson, Ill., consigned by the Douglas Packing Co., alleging that the article had been shipped from Canastota, N. Y., on or about August 22, 1921, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Douglas Packing Co. Excelsior Brand Apple Cider Vinegar Made From Selected Apples * * * Rochester, N. Y."

Adulteration of the article was alleged in the libel for the reason that apple waste vinegar had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the article was labeled "Apple Cider Vinegar Made From Selected Apples" so as to deceive and mislead the purchaser. Misbranding was alleged for the further reason that the statement "Apple Cider Vinegar Made From Selected Apples" was false and misleading and in that it was labeled as aforesaid so as to deceive and mislead the purchaser, since the said article contained barium.

On December 13, 1924, the Douglas Packing Co., Rochester, N. Y., having appeared as claimant for the property and the case having been submitted to the court for final determination, a decree was entered, adjudging the product to be misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13652. Adulteration of canned salmon. U. S. v. 194 Cases, et al., of Canned Salmon. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 17022, 17023, 17024, 17105, 17106. I. S. Nos. 1263-v to 1266-v, incl., 1275-v to 1278-v, incl. S. Nos. E-4237, E-4255.)

On or about December 26 and 29, 1922, and January 2, 9, and 20, 1923, respectively, the United States attorney for the Southern District of West Virginia,