

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 678, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about February 24, 1909, the Mount Pickle Company, a corporation, Salt Lake City, Utah, shipped from the State of Utah to the State of Idaho a quantity of a food product labeled "Mount Pickle Company, Apple Cider Vinegar, 46 gallons, Salt Lake City, Serial No. 5990." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report thereon that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded said Mount Pickle Company and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

On September 13, 1909, a criminal information was filed against the said Mount Pickle Company in the District Court of the United States for the District of Utah, charging the above shipment, and alleging that the product so shipped was adulterated in that its strength and purity were below the professed standard or quality for which it was sold, and in that certain substances had been substituted in part for apple cider vinegar, and alleging that the product was misbranded in that it was labeled as above set forth, it being intended by said label to publish and have it understood that the product was apple cider vinegar, whereas in truth and in fact it was a mixture of cider vinegar diluted with acetic acid and a foreign matter prepared in imitation of cider vinegar.

On November 10, 1909, the case came on for hearing, and the defendant entered a plea of guilty to the above information, whereupon the court imposed a fine of \$35 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., November 1, 1910.