

Issued August 15, 1911.

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 1007.

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

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#### ADULTERATION AND MISBRANDING OF VINEGAR.

On November 3, 1910, the United States Attorney for the Territory of Arizona, acting upon the report by the Secretary of Agriculture, filed a libel for seizure and condemnation in the District Court of the United States against 9 barrels, more or less, of vinegar, in the possession of Solomon-Wickersham Co. (Inc.), Globe, Ariz., alleging the manufacture of the product by the Sharp Elliott Manufacturing Co., on or about September 17, 1910, in the Territory of Arizona, and charging adulteration and misbranding of the product in violation of the Food and Drugs Act. The containers of this product were labeled: "Fine flavored Table Vinegar—A superior Article for Table Use—A delicious flavored Vinegar, fortified with 90 grains strength of 80% Pure Acetic Acid 'Vinegar Sour'—Colored with burnt sugar—Sharp Elliott Mf'g Co., El Paso, Tex."

Analysis by the Bureau of Chemistry of this Department of a sample of this product showed it to contain a dilute solution of acetic acid colored with burnt sugar in imitation of cider vinegar. Adulteration was, therefore, charged because the product was colored in a manner whereby its inferiority was concealed. Misbranding was charged in that the statements on the labels were false and misleading and calculated to deceive the purchaser, and in that the product was offered for sale under the distinctive name of another article.

On March 19, 1911, the court, sustaining the charge in the libel, entered a decree of condemnation and confiscation of the product, with the proviso that, upon the payment of the costs and the execution of a bond by the Sharp Elliott Manufacturing Co., claimants, conditioned as provided by section 10 of the Food and Drugs Act, the goods seized be released and delivered to the company.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *June 30, 1911.*

