

Issued September 27, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1682.

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

ADULTERATION AND MISBRANDING OF VINEGAR.

On February 13, 1912, the United States Attorney for the Southern 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 for the seizure and condemnation of 9 barrels, each containing 48 glass bottles of vinegar remaining unsold in the original unbroken packages and in possession of the National Grocer Co., a corporation, organized under the laws of Michigan and having a place of business in Decatur, Ill., alleging that the product had been shipped by the M. B. Shelley Manufacturing Co., St. Louis, Mo., on or about November 23, 1911, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled on barrels and bottles: "Delight Brand Purity Sugar Vinegar, M. B. Shelley Mfg. Co., St. Louis."

Adulteration was charged in the libel for the reason that the product consisted wholly or in part of distilled vinegar which had been artificially colored and substituted for and packed in the containers thereof in imitation of sugar vinegar so that distilled vinegar and artificial coloring matter had been substituted wholly or in part for sugar vinegar and so that the product was mixed and colored in a manner whereby inferiority was concealed. Misbranding was alleged for the reason that the product was branded and labeled as set forth above, which said brand or label bore a statement, design, and device regarding the product and the ingredients or substances contained therein which was false and misleading in that it purported to declare and in substance and fact did declare that the product was sugar vinegar, when in truth and in fact it consisted in whole or in part of distilled vinegar artificially colored in imitation of sugar

vinegar. Misbranding was alleged for the further reason that the product was an imitation of and was offered for sale under the distinctive name of sugar vinegar, when in truth and in fact it was not sugar vinegar but an imitation thereof.

On May 9, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be sold after rebranding by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 26, 1912.*

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