

Issued January 11, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1852.

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

ADULTERATION AND MISBRANDING OF VINEGAR.

On September 3, 1910, the United States Attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Otto Kuehne Preserving Co., a corporation, Topeka, Kans., alleging shipment by said company, in violation of the Food and Drugs Act, on July 26, 1909, from the State of Kansas into the Territory of New Mexico of a quantity of vinegar which was adulterated and misbranded. The product was labeled: "Otto Kuehne Pres. Co. Silver Leaf Cider Vinegar. Topeka, Kas. M. B. Goldenberg Co., Tucumcari, N. M."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Solids, 1.88 grams per 100 cc; nonsugar solids, 1.12 grams per 100 cc; reducing sugar invert, 0.76 gram per 100 cc; per cent sugar in solids, 40.4; polarization direct temperature, -1.6° V; ash, 0.33 gram per 100 cc; alkalinity of soluble ash (cc N/10 acid, 100 cc), 28.8; soluble phosphoric acid (mg per 100 cc), 6.68; insoluble phosphoric acid (mg per 100 cc), 12.54; acid as acetic, 3.85 grams per 100 cc; volatile acid as acetic, 3.8 grams per 100 cc; fixed acid as malic, 0.06 gram per 100 cc; lead precipitate, heavy; color (degrees, brewer's scale 0.5 in.), 7; color removed by fuller's earth, 44 per cent; ratio ash to non-sugar solids, 1:3.39. Adulteration was alleged in the information for the reason that water had been mixed and packed with the vinegar so as to reduce and lower its quality and strength, and for the reason that water had been substituted in part for the vinegar. Misbranding was alleged for the reason that the product was labeled "Silver Leaf Cider Vinegar," which label was false and misleading in that it

indicated that the contents of the original packages of the product contained cider vinegar free from dilution of water, whereas each of said original packages contained vinegar diluted with water.

On June 10, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

W. M. HAYS,

Acting Secretary of Agriculture.

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

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