

Issued February 4, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1880.

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

ADULTERATION AND MISBRANDING OF SO-CALLED APPLE CIDER.

On March 5, 1912, the United States Attorney for the Northern District of Texas, 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 100 kegs of so-called apple cider remaining unsold in the original unbroken packages and in possession of V. L. Potts, Dallas, Tex., alleging that the product had been shipped during the month of March, 1911, by the Arbita Spring Water Co., New Orleans, La., from the State of Tennessee into the State of Texas and charging adulteration and misbranding in violation of the Food and Drugs Act. The product bore no label, but was invoiced as apple cider.

Adulteration was alleged in the libel for the reason that the product was invoiced as apple cider when, in truth and in fact, it was not apple cider, but a compound of apple product, commercial glucose or impure starch sugar, sodium benzoate, and saccharin, and therefore adulterated in that the apple product was mixed with glucose, sodium benzoate, and saccharin so as to injuriously affect its quality, and in that sodium benzoate, commercial glucose, and saccharin had been substituted in part for the genuine apple product. Misbranding was alleged for the reason that the product was an imitation of apple cider and was offered for sale under the name of apple cider, which is a distinctive name of an article different from that which was contained in each of the kegs.

On May 20, 1912, no claimant having appeared, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 29, 1912.*