

# United States Department of Agriculture,

## OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 2170.

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

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#### ADULTERATION AND MISBRANDING OF VINEGAR.

On June 16, 1911, the United States Attorney for the District of Rhode Island, 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 28 barrels of vinegar remaining unsold in the original unbroken packages at Providence, R. I., alleging that the product had been shipped on or about September 29, 1910, by M. H. & M. S. Place, Oswego, N. Y., and transported from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "M. H. and M. S. Place 48 Cider Vinegar, guaranteed under pure food law not made by a trust, Oswego, New York."

Adulteration of the product was alleged in the libel for the reason that it purported to be pure cider vinegar but there had been mixed with it a dilute solution of acetic acid and distilled vinegar and foreign substances in imitation of cider vinegar, so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that certain substances, to wit, a dilute solution of acetic acid and other foreign substances designed and intended to produce an imitation of cider vinegar had been substituted in part in said vinegar for cider vinegar. Misbranding was alleged for the reason that the product was labeled as set forth above whereby it purported to be cider vinegar but was in fact an imitation of cider vinegar, to wit, composed of dilute acetic acid and other substances in imitation of cider vinegar. Misbranding was alleged for the further reason that the product was labeled and branded as set forth above so as to deceive and mislead a purchaser, in that the label bore the statement that the product was cider vinegar, which statement was false and misleading in the particulars aforesaid.

On May 8, 1912, said M. H. & M. S. Place, claimants, having consented thereto, judgment of condemnation and forfeiture was entered, the court finding the product misbranded. It was further ordered

that the product should be released and delivered to said claimants upon payment of all the costs of the proceedings and the execution of bond in the sum of \$250 in conformity with section 10 of the Act.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 3, 1913.*

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