

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2514.

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

U. S. v. 80 Barrels of Vinegar. Decree of condemnation by consent. Goods released on bond.

MISBRANDING OF VINEGAR.

On September 3, 1910, the United States Attorney for the District of New Hampshire, 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 80 barrels of vinegar remaining unsold in the original unbroken packages and in possession of the Holbrook-Marshall Co., Nashua, N. H., alleging that the product had been shipped from the State of Massachusetts into the State of New Hampshire and charging misbranding in violation of the Food and Drugs Act. Thirty barrels of the product were labeled: "Strictly Pure—gals. Nectar Brand Sugar Vinegar—Guaranteed under the Food and Drugs Act—Put up for the Holbrook-Marshall Company, Nashua, N. H."; 20 barrels were labeled: "— gals. Pure White Vinegar Distilled Put up for the Holbrook-Marshall Company, Nashua, N. H."; and 30 barrels were labeled: "— gals. Cider Vinegar—Guaranteed under Food and Drugs Act—Put up for the Holbrook-Marshall Company, Nashua, N. H." On each barrel were stenciled figures representing the vinegar content.

Misbranding of the product was alleged in the libel for the reason that it was in package form and the contents were not correctly stated on the outside of the barrels.

On September 24, 1912, Arthur E. Rowse, Arlington, Mass., proprietor of the New England Vinegar Works, Boston, Mass., claimant, having admitted the allegations in the libel and consented to a decree,

judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be redelivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the Act.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *June 27, 1913.*

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