

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2530.

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

U. S. v. Dawson Bros. Manufacturing Co. Plea of guilty. Fine, \$25 and costs.

ADULTERATION AND MISBRANDING OF VINEGAR.

On September 7, 1912, the United States Attorney for the Western District of Tennessee, 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 Dawson Bros. Manufacturing Co., a partnership consisting of L. J. Dawson and D. Dawson, Memphis, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, on February 27, 1911, from the State of Tennessee into the State of Oklahoma, of a quantity of vinegar which was adulterated and misbranded. The product was labeled: "Dawson Bros. Mfg. Co., Pure Fermented Apple Cider Vinegar, Circle 'D' Brand, Memphis, Tenn."

Analysis of a sample of the product made by the Bureau of Chemistry of this Department showed the following results: Specific gravity, 15.6°/15.6° C., 1.0132; total acids as acetic (grams per 100 cc), 4.10; volatile acid as acetic (grams per 100 cc), 4.08; fixed acid as malic (grams per 100 cc), 0.025; total solids (grams per 100 cc), 1.59; reducing sugar (grams per 100 cc), 0.61; ash (grams per 100 cc), 0.31; alkalinity soluble ash (cc N/10 acid per 100 grams), 31.6; phosphoric acid in ash (mg per 100 cc), 21.2; glycerol (grams per 100 cc), 0.088; alcohol precipitate (grams per 100 cc), 0.109; pentosans (grams per 100 cc), 0.112; lead precipitate, heavy; polarization, 200 mm tube, -1.2° V.; color removed by fuller's earth, 66 per cent; color, Brewer's scale No. 52, 6.5°. Adulteration of the product was alleged

in the information for the reason that a substance, to wit, a dilute solution of acetic acid or distilled vinegar, a product high in reducing sugars and foreign mineral matter, had been substituted wholly or in part for the genuine article. Misbranding was alleged for the reason that the statement "Apple cider vinegar" upon the label was false and misleading because it conveyed the impression that the product was genuine apple cider vinegar conforming to the standard for such article, whereas, in truth and in fact, it consisted wholly or in part of a dilute solution of acetic acid or distilled vinegar, a product high in reducing sugars and foreign mineral matter. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Apple cider vinegar," thereby purporting to be genuine apple cider vinegar conforming to the standard for such article, whereas, in truth and in fact, it consisted wholly or in part of a dilute solution of acetic acid or distilled vinegar, a product high in reducing sugars and foreign mineral matter.

On November 23, 1912, the defendant partnership entered a plea of guilty to the information and the court imposed a fine of \$25, with costs of \$15.55.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 23, 1913.*

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