

**3717. Adulteration and misbranding of vinegar. U. S. v. 10 Half-Barrels of Vinegar, more or less. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 5906. I. S. No. 28136-h. S. No. C-86.)

On September 8, 1914, the United States attorney for the Eastern District of Kentucky, 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 10 half barrels of vinegar, more or less, remaining unsold in the original unbroken packages at Ashland, Ky., alleging that the product had been shipped on August 20, 1914, by the Ohio Cider Vinegar Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the product was misbranded in that the 10 half barrels were branded: (On one head) "The Ohio Cider Vinegar Co., Fermented Apple Vinegar. Apple Product, Cincinnati, O." (On the reverse end thereof) "June 1914, Reduced to legal standard with water"; and that said brands were false and misleading in that there had been mixed and packed with said food product another substance—to wit, water—whereby the quality and strength of the food product was reduced, lowered, and injuriously affected, and that said water had been substituted in part for the vinegar; and that each of said half barrels of vinegar was adulterated in violation of section 7 of the Food and Drugs Act in that said food product, purporting to be pure fermented apple vinegar of legal standard, had water mixed with and substituted for said vinegar in such a manner as to reduce, lower, and injuriously affect its quality and strength. It was further alleged in the libel that the product consisted in part of water which had been substituted for and mixed with the vinegar, and thereby reduced, lowered, and injuriously affected its quality and strength, that said water as so mixed and packed with said vinegar had rendered said vinegar adulterated in violation of the Food and Drugs Act. It was further alleged in the libel that the brand of the product purported and represented that the barrels contained pure apple vinegar.

On October 26, 1914, the said Ohio Cider Vinegar Co., claimant, having filed its answer admitting the allegations in the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$100, in conformity with section 10 of the act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 26, 1915.*