

4275. Adulteration and misbranding of vinegar. U. S. * * * v. 10 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6679. I. S. No. 14163-k. S. No. C-256.)

On July 2, 1915, the United States attorney for the District of Minnesota, 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 barrels of vinegar, remaining unsold in the original unbroken packages at Jeffers, Minn., alleging that the product had been shipped on May 28, 1915, by J. J. Black, Durand, Wis., and transported from the State of Wisconsin into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act. Each of the barrel heads was labeled: "Guaranteed Apple Cider Vinegar. Fortified with A.A. to $4\frac{1}{2}$ Standard Strength Blended with pure caramel J. J. Black—Durand, Wisconsin." On the shipping tag attached to each barrel appeared the following, in part: "From Black's Cider and Vinegar Company, General and Sales Offices Chippewa Falls, Wisconsin."

It was alleged in the libel that the vinegar was adulterated in that substances had been mixed with said vinegar so as to reduce and lower its quality and strength, and that substances had been substituted in part for said aforesaid article, to wit, vinegar, in that a dilute solution of acetic acid or distilled vinegar had been mixed and substituted with and in said vinegar in violation of paragraphs first and second of section 7 of said Food and Drugs Act.

It was further alleged that each barrel of the vinegar was an imitation of, and offered for sale under the distinctive name of, another article, to wit, cider vinegar, and was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof in that it was a product artificially prepared, mixed, and compounded so as to resemble and purport to be a genuine food article, to wit, cider vinegar, but added to and intermixed therein was a dilute solution of acetic acid or distilled vinegar. It was further alleged that each of the barrels of vinegar was so misbranded in violation of paragraphs first and second of section 8 of said Food and Drugs Act.

On August 9, 1915, the said John J. Black, claimant, doing business as Black's Cider and Vinegar Co., having 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 and delivery of a good and sufficient bond in conformity with section 10 of the act.

[NOTE.—The bond required in F. & D. Nos. 6683 to 6688, inclusive, Notice of Judgment No. 4276, also covers the product in this case.]

CARL VROOMAN, *Acting Secretary of Agriculture.*