

**4887. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 10 Barrels of So-Called Pure Apple Cider Vinegar. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 6832. I. S. No. 12858-k. S. No. C-304.)**

On August 25, 1915, the United States attorney for the Eastern District of Louisiana, 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 so-called pure apple cider vinegar, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped, on or about August 13, 1915, by Dawson Brothers Manufacturing Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Dawson Bros. Mfg. Co., Inc., Memphis Tenn. Southern Beauty Brand Pure Apple Cider Vinegar. Dilute to not less than four per cent acid strength."

Adulteration of the article was alleged in the libel for the reason that it was not pure apple cider vinegar, but distilled vinegar or a dilute solution of acetic acid had been mixed and packed with said article so as to reduce and lower and injuriously affect its quality and strength, and had been substituted, wholly or in part, for said article. Adulteration was alleged for the further reason that the article had been colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the labels upon the barrels containing the article bore statements regarding the article which were false and misleading, that is to say, said labels bore the words, "Southern Beauty Brand Pure Apple Cider Vinegar," meaning that the article was pure apple cider vinegar, whereas, it was not, but contained distilled vinegar or a dilute solution or acetic acid. Misbranding was alleged for the further reason that the article was labeled and branded so as to deceive and mislead the purchaser, that is to say, it was labeled and branded as pure apple cider vinegar, whereas, it was not, but contained distilled vinegar or a dilute solution of acetic acid.

On September 24, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*