

**5678. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 5 Barrels and 3 Half Barrels of Vinegar. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7742. I. S. Nos. 11949-m, 11950-m. S. No. C-568.)

On October 13, 1916, the United States attorney for the Northern District of Mississippi, 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 5 barrels and 3 half barrels of vinegar, remaining unsold in the original unbroken packages at Ackerman, Miss., alleging that the article had been shipped on August 7, 1916, by the Wallace McLean Vinegar Co., Memphis, Tenn., and transported from the State of Tennessee into the State of Mississippi, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, "Orchard Maid Brand Pure Apple Cider Vinegar reduced to four per cent acetic strength."

It was alleged in the libel that the product was misbranded and mislabeled and adulterated in that the product was not as labeled, but was mixed with distilled vinegar or dilute acetic acid so as to reduce and lower and injuriously affect its quality and strength, and that it had been artificially colored in a manner whereby inferiority was concealed.

On April 5, 1917, 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 destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*