

5758. Adulteration and misbranding of vinegar. U. S. * * * v. Monarch Vinegar Works, a corporation. Plea of guilty. Fine, \$180 and costs. (F. & D. No. 8090. I. S. Nos. 10005-1, 10008-1, 10009-1, 10088-1, 10090-1, 10102-1, 13009-1, 11469-1, 13008-1.)

On May 14, 1917, the United States attorney for the Western District of Missouri, 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 Monarch Vinegar Works, a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 23, 1915 (three shipments), March 14, 1916 (two shipments), from the State of Missouri into the State of Kansas, on July 15, 1915, and February 29, 1915, from the State of Missouri into the State of Iowa, and on March 13, 1916 (two shipments), from the State of Missouri into the State of Nebraska, of quantities of vinegar which was adulterated and misbranded. The article was variously labeled in part, "Sweet Clover Brand Pure Apple Vinegar," "Sweet Clover Brand Pure Cider Vinegar," "Tee-Pee Brand Apple Vinegar," "Poehler King Brand Apple Cider Vinegar," "Old Settler Brand Apple Cider Vinegar," "Kamo Brand Pure Cider Vinegar," "Pure Cider Vinegar."

Analyses of samples of the article from each shipment by the Bureau of Chemistry of this department showed that it contained added distilled vinegar or dilute acetic acid.

Adulteration of the article in all of the shipments was alleged in substance in the information for the reason that a certain substance had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in whole or in part for pure apple vinegar, or pure cider vinegar, or apple vinegar, which the article purported to be, and that the said substance so mixed and packed with, and so substituted for the article aforesaid, was distilled vinegar or acetic acid, either or both, and as the informant had no knowledge as to which of these substances was so mixed and packed and substituted for the said article, the allegation was made in the alternative.

Misbranding of the article in all of the shipments was alleged in substance for the reason that the following statement concerning it and the ingredients and substances contained therein, appearing on the barrels or bottles, to wit, pure apple vinegar, or pure cider vinegar, or apple vinegar, or apple cider vinegar, as the case might be, was false and misleading in that it represented to purchasers that the article was pure apple vinegar, or pure cider vinegar, or apple vinegar, or apple cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure apple vinegar, or pure cider vinegar, or apple vinegar, or apple cider vinegar, as the case might be, whereas, in truth and in fact, it was not, but was, to wit, an apple vinegar, or cider vinegar, or apple cider vinegar, as the case might be, mixed with distilled vinegar and dilute acetic acid.

On June 30, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$180 and costs.

CARL VROOMAN, Acting Secretary of Agriculture.