

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 286, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about December 29, 1908, the O. L. Gregory Vinegar Company, Paducah, Ky., shipped from the State of Kentucky to the State of Tennessee a consignment of a food product labeled "Wine Sap Brand Pure Apple Cider Vinegar O. L. Gregory Co., Paducah, Ky." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the O. L. Gregory Vinegar Company, and the dealer from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that the shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General, with a statement of the evidence upon which to base a prosecution. In due course a criminal information was filed in the District Court of the United States for the Western District of Kentucky against the Gregory-Wallace Vinegar Company, the O. L. Gregory Vinegar Company having changed its name under the laws of the State of Kentucky in the meantime, charging the above shipment and alleging that the product was adulterated within the meaning of the act, in that dilute acetic acid, and some other substance containing reducing sugars, had been mixed and packed with it so as to injuriously affect its quality, and had been substituted in part for the genuine food product; and was misbranded, in that it was labeled "Pure Apple Cider Vinegar," which statement was false and misleading, as it was not pure apple cider vinegar but contained a dilute solution of acetic acid, and some foreign material containing reducing sugars.