

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 398, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about February 16, 1908, the Ingham Vinegar Co., a corporation, Portland, Oreg., shipped from said State to the State of Iowa a quantity of vinegar labeled "Ingham's Fancy Oregon Apple Cider Vinegar, Portland, Oreg." 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 made indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, said Ingham Vinegar Company and the party from whom the samples were procured were afforded 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 an information was filed in the District Court of the United States for the District of Oregon, charging the above shipment and alleging that the product was misbranded in that the label above quoted was false and misleading, as being calculated and intended to represent to purchasers that the said vinegar was pure apple cider vinegar produced and manufactured from apples grown in the State of Oregon, when, as a matter of fact, it was not manufactured from apples grown in said State of Oregon, or elsewhere; and further charging that the product was adulterated in that it was a mixture of a foreign product high in reducing sugars and dilute acetic acid, prepared in imitation of apple cider vinegar.

This case came on for trial in December, 1909, and resulted in a disagreement of the jury. A second trial was had in March, 1910, and a verdict was rendered in favor of the defendant.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*

