

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 584, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF VINEGAR.

On or about August 27, 1909, Board, Armstrong & Co., Alexandria, Va., shipped from the State of Virginia to the State of Pennsylvania 90 barrels of vinegar labeled "Board, Armstrong & Co. White House Brand Pure Apple Cider Vinegar, Alexandria and Winchester, Va." Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Pennsylvania.

On September 24, 1909, a libel was filed in the District Court of the United States for said district against the said 90 barrels of vinegar, charging the above shipment and alleging the product so shipped to be adulterated and misbranded, in that it was not a pure cider vinegar as represented in the label above set forth but was a mixture of acetic acid or distilled vinegar and a foreign material high in reducing sugars, prepared in imitation of pure cider vinegar, and praying seizure and condemnation of the product.

On May 25, 1910, said Board, Armstrong & Co. filed a claim to the vinegar in question and on the same day the cause came on for hearing, and the court being fully informed in the premises, issued its decree finding the product to be adulterated and misbranded, and ordering that, in consideration of the fact that the costs of these proceedings had been paid, and that a good and sufficient bond had been executed and delivered to the marshal of said district, conditioned that the said vinegar should not be sold or otherwise disposed of in violation of law, said marshal should deliver the seventy-five barrels of said vinegar seized by him in these proceedings to said Board, Armstrong & Co., to be disposed of in accordance with the provisions of the above-mentioned act, said order being made without prejudice to the rights of Board, Armstrong & Co. in so far as

said barrels of vinegar might be involved in, or be the basis of, the proceedings brought by the United States of America against said Board, Armstrong & Co. in the United States District Court for the Eastern District of Virginia under section 2 of said act and without prejudice to the rights of said Board, Armstrong & Co. to set up and use any defense that they might have in such proceedings.

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

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 2, 1910.*