

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 593, FOOD AND DRUGS ACT.

MISBRANDING OF CIDER VINEGAR.

On or about March 31, 1908, the O. L. Gregory Vinegar Company, a corporation, Birmingham, Ala., shipped from the State of Alabama to the State of Georgia one cask of a food product labeled "Elko brand cider vinegar, guaranteed under the pure food law, bottled by O. L. Gregory, Birmingham, Ala." Samples of 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 misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded said O. L. Gregory Vinegar Company and the party from whom the sample was procured opportunities for hearings. As it appeared after hearings held that the said 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 Northern District of Alabama against the said O. L. Gregory Vinegar Company, charging the above shipment and alleging that the product so shipped was misbranded, because the label above set forth was false and misleading, in that the product in question contained unfermented apple juice and coloring matter, and the said label did not disclose the presence of said unfermented apple juice and coloring matter.

On March 8, 1910, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

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., *September 9, 1910.*

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