

cheese. It was further alleged in the libel that the product contained and had added thereto a certain deleterious ingredient, to wit, saccharin, which rendered said cheese injurious to the health of the consumers thereof. It was further alleged that the whey cheese was misbranded in that a product, sweetened with saccharin, had been substituted in part for whey cheese. On April 6, 1914, the said Lake Zurich Creamery Co., claimant, having theretofore by stipulation admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered and it was ordered that the product should be dealt with or destroyed, in conformity with the instructions of the Secretary of the Department of Agriculture of the United States, as is usual in such cases. (When this case was reported for action no claim was made by this department that the product was misbranded.)

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 28, 1914.*

3464. Adulteration and misbranding of vinegar. U. S. v. 60 Barrels, More or Less, of So-Called Pure Sugar Vinegar. Decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5614. I. S. No. 8814-h. S. No. C-2.)

On or about March 9, 1914, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 barrels, each containing about 49 gallons, of so-called pure sugar vinegar, remaining unsold in the original unbroken packages, at Kansas City, Kans., alleging that the product had been shipped on or about December 5, 1913, by the Monarch Vinegar Works, Kansas City, Mo., and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Distributed by the B. C. Twenhofel Mfg. Co., Pure Sugar Vinegar; 49 (?) gallons, Kansas City, Kansas."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of distilled vinegar or dilute acetic acid, which had been mixed and packed with and substituted for the pure product in such a manner as to reduce or injuriously affect its quality and strength. Misbranding was alleged for the reason that to each of the barrels there was attached a brand or label in the words and figures as set forth above, which said label was misleading and false and calculated to induce the purchaser to believe that said so-called sugar vinegar was pure, when, in truth and in fact, the same was adulterated as hereinabove set forth, and that by reason of said false and misleading brand or label said barrels and the product therein were subject to seizure and confiscation under section 10 of the Food and Drugs Act as aforesaid.

On April 15, 1914, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal. On May 11, 1914, the case having come on for final hearing, it appearing that the said Monarch Vinegar Works, Kansas City, Mo., claimant, had executed a good and sufficient bond in the sum of \$250 in conformity with section 10 of the act and that all the costs of the proceedings had been paid, it was ordered by the court that the product should be released to said claimant.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 28, 1914.*

3465. Adulteration and misbranding of vinegar. U. S. v. 25 Barrels, More or Less, of So-Called Pure Apple Cider Vinegar. Decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5615. I. S. No. 8815-h. S. No. C-3.)

On March 9, 1914, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 barrels, each containing from 45 to 50 gallons, of a product purporting to be pure apple cider vinegar, remaining unsold in the original unbroken packages at Kansas City, Kans., alleging