

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1258.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF VINEGAR.

On November 26, 1909, the United States Attorney for the District of Kansas, acting upon a report of S. J. Crumbine, secretary of the State Board of Health of the State of Kansas, and as such commissioned by the Secretary of Agriculture to cooperate in the collection of samples under the Food and Drugs Act of June 30, 1906, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of 78 casks of vinegar in the possession of the Wichita Vinegar Works. The product was labeled: "Warranted Cider Vinegar." The libel alleged that the vinegar, after shipment by the Robinson Cider Vinegar Co., of Benton Harbor, Mich., from the State of Michigan into the State of Kansas, remained in the original unbroken packages, and was misbranded in violation of the Food and Drugs Act of June 30, 1906, and was therefore liable to seizure for confiscation. The libel charged misbranding of the product in words and figures as follows: "That each of said 78 casks of so-called vinegar is misbranded in that each of said casks instead of containing cider vinegar contains, and at all times herein mentioned did contain so-called vinegar, the same not being cider vinegar, the same not being made wholly and entirely from the product of apples, but containing less than twenty-five one-hundredths gram of apples ash in 100 cubic centimeters, and less than 30 cubic centimeters of decinormal acid to neutralize the alkalinity of said contents of said casks, said so-called vinegar being in the respects above set forth below and different from a standard of purity for apple cider lawfully required by the Secretary of Agriculture under and by virtue of Circular No. 19, lawfully promulgated by the Secretary of Agriculture of the United States June 26, 1906, and in full and lawful force and effect at all of the times herein mentioned."

On September 16, 1909, the case coming on to be heard and the Robinson Cider Vinegar Co. having appeared as claimant, and filed

answer to the libel, the court entered an order that upon the payment of all the costs of the proceeding, and the giving of a bond by the claimant in the sum of \$1,000, conditioned that said product should not be sold or otherwise disposed of contrary to law, the same should be released and surrendered to the said Robinson Cider Vinegar Co.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *December 19, 1911.*

1258

