F. & D. Nos. 2602 and 2603.
S. No. 927. Issued September 27, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1657.

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

ADULTERATION AND MISBRANDING OF SO-CALLED CIDER VINEGAR.

On April 21, 1911, the United States Attorney for the Western District of New York, 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—

(1) Three barrels of vinegar remaining unsold in the original unbroken packages and in the possession of Frank L. Johnson and Elmer B. Swanson, doing business under the firm name of Johnson & Swanson, Jamestown, N. Y.

(2) Seventeen barrels of vinegar remaining unsold in the original unbroken packages and in the possession of Elmer A. Donelson, Jamestown, N. Y.

The libel alleged that the 20 barrels of the product had been shipped on January 17, 1911, by Price & Lucas Cider & Vinegar Co., a corporation, Allegheny, Pa., and transported from the State of Pennsylvania into the State of New York, and charged adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Price & Lucas Guaranteed Liberty Bell Pure Cider Vinegar Serial No. 3390 Allegheny, Pa."

Adulteration was alleged in the libel for the reason that there had been mixed and packed with the product a mixture of distilled vinegar and foreign material high in reducing sugars and foreign ash material, which said substances had been substituted wholly or in part for cider vinegar, reducing the quality and injuriously affecting the strength of said product. Misbranding was alleged for the reason that the product was labeled and branded so as to mislead and deceive all purchasers.

On April 23, 1912, the Price & Lucas Cider & Vinegar Co., Allegheny, Pa., claimant, having withdrawn the answer to the libel filed by it and paid all costs, judgment of condemnation and forfeiture was entered, and it was further ordered that upon the execution of bond by said claimant in the sum of $200 in conformity with section 10 of the Act, the product should be released and delivered to said claimant.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 15, 1912.*

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