

HOUSE No. 869

Bill accompanying the petition of Harry P. Cassidy relative to the manufacture and sale of vinegar. Public Health. January 16.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fourteen.

AN ACT

Relative to the Manufacture and Sale of Vinegar.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. That from and after the passage of this
2 act no person, firm or corporate body shall manufacture
3 for sale, offer for sale or expose for sale, sell or deliver,
4 or have in his, her or their possession with intent to sell
5 or deliver, any vinegar not in compliance with the pro-
6 visions of this act. No vinegar shall be sold or exposed
7 for sale as apple or cider vinegar which is not the legit-
8 imate product of pure apple juice, or vinegar not made
9 exclusively of said apple cider, or vinegar in which for-
10 eign substances, drugs or acids shall have been intro-
11 duced, as may appear upon proper test; no vinegar shall
12 be branded fruit vinegar unless the same be made wholly
13 from grapes, apples or other fruits.

1 SECTION 2. All vinegar made by fermentation and
2 oxidation, without the intervention of distillation, shall
3 be branded "fermented vinegar", with the name of the
4 fruit or substance from which the same is made. And
5 all vinegar made wholly or in part from distilled liquor
6 shall be branded as "distilled vinegar", and all such
7 distilled vinegar shall be free from coloring matter,
8 added before, during or after distillation, and from color
9 other than that imparted to it by the process of distilla-
10 tion, and shall contain not less than four per centum,
11 by weight, of absolute acetic acid. And all vinegar shall
12 be made wholly from the fruit or grain from which it
13 is represented to be made, and shall contain no foreign
14 substance: *provided*, that this shall not be construed to
15 prohibit the use of such an amount of spices as are neces-
16 sary for flavoring provided such spices do not color the
17 vinegar.

1 SECTION 3. No person, firm or corporate body shall
2 manufacture for sale, offer for sale, or have in his, her
3 or their possession with intent to sell, or expose for sale,
4 any vinegar found upon proper test to contain any prep-
5 aration of lead, copper, sulphuric or other mineral acid,
6 or other ingredients injurious to health. And all pack-
7 ages containing vinegar shall be plainly and distinctly
8 marked on each head of the cask, barrel or keg contain-
9 ing such vinegar, or if sold in other packages, each pack-
10 age shall be plainly and distinctly marked with the name
11 and residence of the manufacturer, together with the
12 brand required in section two thereof.

1 SECTION 4. Every person, firm or corporate body who
2 shall violate any of the provisions of this act shall, for
3 every such offence, forfeit and pay not less than fifty

4 dollars nor more than one hundred dollars: *provided*,
5 that the state board of health, together with its deputies,
6 agents and assistants, shall be charged with the enforce-
7 ment of this act, and shall have full access to all places
8 of business, factories, mills, buildings, carriages, cars,
9 vessels, barrels, tanks, and packages of whatever kind
10 used in the manufacture and transportation and sale of
11 vinegar, or of any adulteration or imitation thereof, or
12 any package in which vinegar is mixed with articles of
13 food. They shall also have power and authority to open
14 any package, barrel or vessel containing vinegar, or any
15 adulteration or imitation thereof, which may be manu-
16 factured, sold or exposed for sale, and they shall also
17 have full power and authority to take the samples there-
18 from for analysis upon tendering the value of said sam-
19 ples. And all charges, accounts and expenses of the
20 department for the enforcement of this act, through the
21 said board of health and its deputies, agents, assistants,
22 chemists, and counsel employed by it, in carrying out
23 the provisions of this act, shall be paid into the treasury
24 of the commonwealth in the same manner as other ac-
25 counts and expenses of the said department are paid.

1 SECTION 5. Every person who violates any of the pro-
2 visions of this act shall be deemed guilty of a misde-
3 meanor, and upon conviction thereof shall be punished by
4 a fine of not less than fifty dollars, nor more than one hun-
5 dred dollars, or by imprisonment in the county jail for not
6 less than ten or more than thirty days, or both fine and
7 imprisonment for the first offence, and a fine of one
8 hundred dollars and imprisonment for thirty days for
9 every subsequent offence: *provided*, that all fines and
10 costs, including the expense of inspection and analysis
11 imposed under this action, shall be covered into the treas-

12 ury as provided by section four of this act, and all vine-
13 gar sold or offered for sale in violation of the provisions
14 of this act shall be subjected to forfeiture and spoliation.

1 SECTION 6. Magistrates and justices of the peace
2 throughout this commonwealth shall have jurisdiction to
3 hear and determine actions arising for violations of the
4 provisions of this act, and to hold for court, or impose
5 the penalties provided therein, subject to appeal as the
6 law shall direct.

1 SECTION 7. All acts or parts of acts inconsistent with
2 the provisions of this act are hereby repealed.