

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 683, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF BRANDY.

On or about April 16, 1909, Julius Heymanson, doing business under the name of the Consolidated Importing Company, Chicago, Ill., shipped from the State of Illinois to the State of Missouri a quantity of alleged brandy labeled "Jas. Hennessy & Co. Cognac. Registered in United States Patent Office. France. Guaranteed under the Food and Drugs Act June 30, 1906. Serial Number 3241." Samples of this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared from the findings of the analyst and report made that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

On September 16, 1910, a criminal information was filed in the District Court of the United States for the Northern District of Illinois against the said Julius Heymanson, charging the above shipment and alleging that the product so shipped was adulterated, in that a substance, to wit, an imitation brandy had been mixed and packed with said article of food so as to reduce, lower, and injuriously affect its quality and strength; in that an imitation brandy had been substituted wholly or in part for the product; and in that said article of food had been colored with caramel in a manner whereby its inferiority was concealed; and alleging the product to be misbranded, in that the label above set forth was false and misleading because it purported that the article was a foreign product when as a matter of fact it was not, but was an imitation brandy made in the United States and sold and shipped under the labels of Jas. Hennessy & Co., of France; in that the product was an imitation brandy offered for

sale under the distinctive name of another article, to wit, "Jas. Hennessy & Co. Cognac. France."

Upon arraignment the defendant entered a plea of guilty to the above information and the court imposed a fine of \$10.

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., *November 1, 1910.*

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