

Issued July 12, 1913.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2410.

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

ADULTERATION AND MISBRANDING OF VODKA.

On August 26, 1912, the United States Attorney for the Eastern District of Pennsylvania, 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 one case, containing approximately 124 bottles, of vodka, said bottles being of various sizes and capacities, each containing 4 fluid ounces and upward, remaining unsold in the original unbroken packages and in possession of J. Marks, Third and Christian Streets, Philadelphia, Pa., alleging that the product had been shipped on or about August 19, 1912, and transported from the State of New York into the State of Pennsylvania and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled, *inter alia*, in Russian (translated into English): "Government Pure Alcohol," and was also labeled in English, "Monopole Vodka, Russian Monopole Co."

Adulteration of the product was alleged in the libel for the reason that a certain substance other than vodka, to wit, a dilute solution of alcohol, had been substituted wholly for vodka. Misbranding was alleged for the reason that the product was labeled as set forth above, and the statements on the label were false and misleading in that they purported to represent that the article was vodka, whereas it was not vodka, but was an imitation of vodka; and for the further reason that said statements on the label were false and misleading in that they purported to represent that the article was a foreign product, whereas, in truth and in fact, it was not a foreign product, but was a product of the United States of America.

On January 15, 1913, no claimant having appeared for the property, a prior order of the court for the condemnation and sale of the property was revoked and vacated and a judgment of condemnation and forfeiture was entered, and it was further ordered by the court that the product should be destroyed by the United States marshal.

WILLIS L. MOORE,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *March 3, 1913.*