

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that neutral spirits had been substituted in the product in whole or in part for cognac. Adulteration of the product was alleged in the information for the reason that a substance other than cognac, to wit, a substance consisting of alcohol, water, a small amount of brandy, and prune juice, and in fact an imitation brandy, was substituted wholly for the genuine article, cognac. Misbranding was alleged for the reason that the designs, statements, and devices on the labels of the bottles and shipping cases regarding the product were false and misleading and said labels were calculated to deceive and mislead the purchaser thereof, in that said statements, designs, and devices would indicate that the product was a genuine cognac, originating in the Cognac district of France and imported into the United States, whereas, in truth and in fact, it was not a genuine cognac, but was a product manufactured in the United States, containing neutral spirits, and was further misbranded in that it purported to be a foreign product, to wit, a product of France, when it was not such, but was a product of the United States. Misbranding was alleged for the further reason that the statement in the label on the shipping cases set forth above, regarding the product, was false and misleading, and said label was calculated to deceive and mislead the purchaser thereof, in that it would indicate that the product was guaranteed by the United States Government, whereas, in truth and in fact, it was not guaranteed by the United States Government.

(2) Of a quantity of so-called old cognac which was adulterated and misbranded. This product was labeled: (On bottles) "Cognac * * * Brandy. Trade S. P. mark, Type of Cognac Vieux Blended Put up in New York. U. S. serial No. 4424. Guaranteed under the Food and Drugs Act, June 30, 1906." (On cases) "Cognac Vieux * * * U. S. serial No. 4424. Guaranteed under the Food and Drugs Act, June 30, 1906, S. P. 12 bottles. New York."

Analysis of a sample of the product by the said Bureau of Chemistry showed that neutral spirits had been substituted in the product in whole or in part for cognac brandy. Adulteration of the product was alleged in the information for the reason that there had been substituted for the genuine article, "Cognac Vieux," another article, to wit, an imitation brandy. Misbranding of the product was alleged for the reason that the statements, designs, and devices on the labels of the bottles and shipping cases regarding the product were false and misleading and calculated to deceive and mislead the purchaser thereof, in that said labels would indicate that the product was a genuine old cognac from the Cognac district of France, whereas, in truth and in fact, it was an imitation brandy prepared and manufactured in the United States, and was further misbranded in that it purported to be a foreign product, to wit, a product of France, when it was not such, but was a domestic product. Misbranding was alleged for the further reason that the product was labeled on the shipping cases as set forth above, and said words regarding the article would indicate that it was guaranteed by the United States Government, whereas, in truth and in fact, it was not guaranteed by the United States Government.

On May 12, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$400.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

2924. Adulteration and misbranding of cocoanut. U. S. v. 25 Pails of Cocoanut. Product released on bond. (F. & D. No. 4560. S. No. 1516.)

On September 23, 1912, the United States attorney for the district of Oregon, 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 25 pails of cocoanut remaining unsold in the original unbroken packages and in possession of Wadhams & Kerr Bros., Portland, Oreg., alleging that the product had been shipped on or about

September 21, 1912, from the State of California into the State of Oregon, by the Pacific Cocoanut Co., San Francisco, Cal., and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Red Cross Fancy Thread Cocoanut, Wadhams & Kerr Bros., Portland, Oregon."

Adulteration of the product was alleged in the libel for the reason that glucose had been mixed therewith and packed with it, so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that glucose had been substituted in part for cocoanut. Misbranding was alleged for the reason that the labels on the product were intended to deceive purchasers and to convey the impression that the cocoanut was manufactured by Wadhams & Kerr Bros., in the State of Oregon, when, in truth and in fact, the cocoanut was manufactured in California.

On October 9, 1912, the case having come on for hearing, it was ordered by the court that the product should be released and delivered to the said Pacific Cocoanut Co., claimant, upon payment of the costs of the proceedings, amounting to \$19.34, and the execution of bond in the sum of \$200 in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., February 18, 1914.

2925. Adulteration and misbranding of beer. U. S. v. Monumental Brewing Co. Plea of guilty. Fine, \$15. (F. & D. No. 4568. I. S. No. 18462-d.)

On July 13, 1913, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Monumental Brewing Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on March 4, 1912, from the State of Maryland into the State of Georgia, of a quantity of beer which was adulterated and misbranded. The product was labeled: (On each retail bottle) "Special Export Extra Pale Beer Brewed from the very best malt and hops."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity.....	1. 01461
Alcohol (per cent by volume).....	4. 56
Extract (per cent by weight).....	5. 50
Extract original wort (per cent by weight).....	12. 80
Degree fermentation.....	57. 03
Volatile acid as acetic (grams per 100 cc).....	0. 007
Total acid as lactic (grams per 100 cc).....	0. 180
Maltose (per cent).....	1. 75
Dextrin (per cent).....	2. 68
Ash (per cent).....	0. 17
Proteid (per cent).....	0. 377
P ₂ O ₅ (per cent).....	0. 055
Undetermined (per cent).....	0. 52
Polarimeter, undiluted (°V.).....	+40. 6

Adulteration of the product was alleged in the information for the reason that it was stated on the labels of the bottles containing the same, "Brewed from the very best malt and hops," whereas grains other than malt and hops had been substituted in part for said malt and hops. Misbranding was alleged for the reason that the labels on each of the bottles containing the beer bore the statement that the beer was brewed from the very best malt and hops, which said statement was false and misleading in that the beer was not brewed solely from malt and hops but, in truth and in fact, grains other than malt and hops had been substituted for said malt. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled, "Special Export Extra Pale Beer Brewed