

On February 10, 1913, the said Eckman Manufacturing Co. filed its answer to the libels, and on October 13, 1913, the court gave leave to said company to withdraw its answer and file its demurrer, and on November 29, 1913, said demurrer was overruled by the court, to which ruling said company duly excepted. On December 8, 1913, said Eckman Manufacturing Co. filed its election to stand on the demurrer, and on December 10, 1913, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said Eckman Manufacturing Co., upon payment of the costs of the proceedings and the execution of bond in the sum of \$250 in conformity with section 10 of the act. On December 15, 1913, the said Eckman Manufacturing Co. filed its assignments of error and its petition for a writ of error to the Supreme Court of the United States, and on January 5, 1914, the transcript in the case for the Supreme Court of the United States was transmitted and the case is now pending in the Supreme Court.

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

WASHINGTON, D. C., *March 30, 1914.*

**2996. Adulteration and misbranding of so-called cognac. U. S. v. M. J. Griel (Griel Trading Co.). Plea of guilty. Fine, \$25. (F. & D. No. 4881. I. S. No. 19621-d.)**

On January 3, 1913, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against M. J. Griel (or Nahan J. Griel), a member of the firm of Griel Trading Co., a copartnership, Pensacola, Fla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February 26, 1912, from the State of Florida into the State of Alabama, of a quantity of so-called cognac, which was adulterated and misbranded. The product was labeled: "Cognac (L. G.) Brandy-Proof 80 Stamp E 48184, Pensacola, Fla."

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

Proof.....	80.8
Acids (parts per 100,000, 100° proof).....	8.8
Esters (parts per 100,000, 100° proof).....	6.5
Aldehydes (parts per 100,000, 100° proof).....	3.4
Furfural (parts per 100,000, 100° proof).....	0.1
Total color on $\frac{1}{2}$ inch Brewer's scale (degrees).....	9.8
Color insoluble in amyl alcohol (per cent).....	17
Solids (parts per 100,000, 100° proof).....	113.2
Fusel oil (parts per 100,000, 100° proof).....	16

Adulteration and misbranding of the product were alleged in the information for the reason that the half barrels were labeled as set forth above, which said label was false and misleading, in that said three half barrels did not contain cognac brandy, but contained a liquid substance composed in part of neutral spirits colored with caramel.

On November 5, 1913, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

WASHINGTON, D. C., *March 30, 1914.*

**2997. Misbranding of Nurito. U. S. v. Magistral Chemical Co. Plea of guilty. Sentence suspended. (F. & D. No. 4882. I. S. No. 13716-d.)**

On June 17, 1913, the United States attorney for the Southern 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 an information against the Magistral Chemical Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on October 9, 1911, from the State of New York