

Analysis No. 2:

Proof (degrees) -----	84.3
Fusel oil (parts per 100,000, 100° proof alcohol) -----	21.0
Color (degrees, Lovibond, 0.5 inch cell) -----	8.3
Color, insoluble in water (per cent) -----	80.0
Color, insoluble in amyl alcohol (per cent) -----	43.0

The above results show that the product is largely neutral spirits.

Adulteration of the product was alleged in the information for the reason that a substance other than cognac or cognac type of liquor had been mixed and packed with it so as to reduce, or lower, or injuriously affect its quality or strength, and in that imitation cognac had been substituted wholly or in part for cognac or cognac type of liquor, which the article was represented to be. Misbranding of the product was alleged for the reason that the statement "Casnon Frères et Fils Brand Cognac Type," borne on the original shipping packages and the bottles in which said article was shipped and sold, was false and misleading because, as a matter of fact, said cases did not contain cognac or a cognac type of liquor, but did contain imitation cognac. Misbranding was alleged for the further reason that the article was an imitation cognac and was offered for sale under the distinctive name of cognac. Misbranding was alleged for the further reason that the article was labeled and branded so as to purport it to be a foreign product, when, as a matter of fact, it was not a foreign product, but was manufactured in the United States of America.

On February 9, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$250.

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

WASHINGTON, D. C., June 8, 1914.

3236. Adulteration of tomato pulp. U. S. v. 100 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5479. S. No. 2047.)

On December 13, 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 a libel for the seizure and condemnation of 100 cases of tomato pulp, remaining unsold in the original unbroken packages and in possession of Lubin and Sitomer, New York, N. Y., alleging that the product had been shipped on or about December 9, 1913, by the Andrews Packing Co., Wingate, Md., into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Asquith Brand Tomato Pulp—Made from tomatoes and fresh tomato trimmings with great care—Contents weigh 10 oz.—Asquith Brand—Packed by Andrews Packing Co., Crapo, Md." Adulteration of the product was alleged in the libel for the reason that it consisted of a decomposed substance, contrary to the provisions of section 7, subdivision 6, under "Foods," of the Food and Drugs Act.

On January 12, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

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

WASHINGTON, D. C., June 8, 1914.