

3732. Adulteration and misbranding of so-called cognac. U. S. v. 5 Cases of * * * Cognac. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 5952. I. S. No. 1618-k. S. No. E-120.)

On September 24, 1914, the United States attorney for the District of Massachusetts, 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 5 cases, each containing a product purporting to be cognac, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by A. Blum Jr.'s Sons, New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel because substances—to wit, neutral spirits—had been mixed and packed with said food in such a manner as to reduce, lower, and injuriously affect its quality and strength. Misbranding was alleged for the reason that said food, upon the packages and labels thereof, bore certain statements, designs, and devices regarding the ingredients and substances contained in said food, that is to say, the following words, "Louis Béchade Cognac France," and three stars prominently displayed thereon, "Louis Bechade Cognac The Produce of France," and threestars prominently displayed thereon, which statements, designs, and devices were false and misleading because they would lead the purchaser to believe that said food consisted of cognac, and was the product of a foreign country, whereas, in truth and in fact, said food was not cognac, and was not the product of a foreign country.

On December 21, 1914, the said A. Blum Jr.'s Sons, claimant, having admitted that the allegations of the libel were true, 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.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *April 16, 1915.*