

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.¹
SUPPLEMENT.

N. J. 3751-3800.

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

3751. Adulteration and misbranding of so-called cognac. U. S. v. 2 One-Eighth Casks of * * * Cognac. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 6004. I. S. Nos. 1629-k, 1630-k. S. No. E-137.)

On October 14, 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 2 one-eighth casks containing a product purporting to be cognac, remaining unsold in the original unbroken packages at Lawrence, 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. The product was labeled in part: "Jas. Hennessy Cognac France."

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 a certain statement, design, and device regarding the ingredients and substances contained therein, that is to say, the following words, "Jas. Hennessy Cognac France," which statement, design, and device was false and misleading because it 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.

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Notices of judgment are issued as supplements to the Service and Regulatory Announcements of the Bureau of Chemistry. Beginning with January, 1915, they will be numbered and paged independently of the Service and Regulatory Announcements, the first number being designated as S. R. A., Chem. Suppl. 1.

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On February 12, 1915, the said A. Blum Jr.'s Sons, having filed its claim in which it neither admitted nor denied the allegations of the libel, but prayed that the product should be delivered to it upon giving such security as the court might direct, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$400, in conformity with section 10 of the act.

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

WASHINGTON, D. C., April 24, 1915.