

4606. Misbranding of so-called vodka. U. S. * * * v. 6 Cases of Alleged Russian Vodka. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6933. I. S. No. 11504-1. S. No. C-356.)

On October 20, 1915, the United States attorney for the Northern District of Illinois, 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 6 cases, containing 120 bottles, of vodka, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on July 30, 1915, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act.

Misbranding of the article was alleged in the libel for the reason that each of the bottles filled with it bore a label containing certain words and figures in the Russian language, and in addition, the words and figures as follows, to wit, "Monopol Vodka Made and Bottled in Russia," which said statement, appearing upon each of the labels attached to the bottles, was false and misleading in that the labels and the statement appearing thereon as aforesaid purported to state that the article was a foreign product, manufactured in Russia, and deceived and misled the purchaser into the belief that it was a genuine vodka, bottled and manufactured in Russia, whereas, in truth and in fact, it was not, but was manufactured in the city of Brooklyn, in the State of New York, in the United States of America, and was an imitation of the liquor or beverage known as vodka, and was offered for sale under the distinctive name of another article, to wit, the article of food, liquor, or beverage known as vodka.

On March 21, 1916, 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.

C. F. MARVIN, *Acting Secretary of Agriculture.*