

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2073.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF BEER.

On May 27, 1912, the United States Attorney for the Southern District of Georgia, 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 60 barrels, each containing 10 dozen bottles of beer, remaining unsold in the original unbroken packages and in possession of Joseph Rausin, trading under the name of the Star Supply Co., Savannah, Ga., alleging that the product had been shipped on or about May 8, 1912, by the Monumental Brewing Co., Baltimore, Md., and transported from the State of Maryland into the State of Georgia, and alleging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On barrels) "Pa-Star Supply Co., Savannah, Ga." (On bottles) "Special Export Extra Pale Beer. Brewed from the very best Malt and hops."

Adulteration of the product was alleged in the libel for the reason that grains other than malt had been used in its manufacture and the resulting substances mixed and packed with it in such a manner as injuriously to affect its quality and strength. Adulteration was alleged for the further reason that little, if any, malt had been used in the manufacture of the product and that substances made from other grains than malt had been substituted wholly or in part for malt in said product. Misbranding was alleged for the reason that the product was labeled as set forth above, which label was false and misleading in that it would lead the purchasers to believe that the product was made from malt and hops, whereas, in fact, very little if any malt had been used in its manufacture and other grains had been substituted wholly or in part for this ingredient.

On July 9, 1912, the said Monumental Brewing Co., claimant, having admitted the allegation in the libel and consented to a decree, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be released and delivered to said claimant upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$100 in conformity with section 10 of the Act.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 7, 1912.*

2073

