

5963. Adulteration and misbranding of cognac brandy. U. S. * * * v. Adolph Gruenewald and Harry Shatkin, copartners (New England Cordial & Importing Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 8295. I. S. No. 3107-m.)

On February 2, 1918, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Adolph Gruenewald and Harry Shatkin, copartners, trading as the New England Cordial & Importing Co., Providence, R. I., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about October 6, 1916, from the State of Rhode Island into the State of Massachusetts, of a quantity of an article labeled in part, "Cognac Type Fin Vieux Brandy," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed, unless otherwise indicated, as grams per 100 liters to 100 proof:

Proof (degrees) -----	80.25
Solids -----	264.1
Acids, total, as acetic -----	13.16
Esters, as acetic -----	8.77
Aldehydes, as acetic -----	4.98
Furfural: Trace.	
Fusel oil -----	9.59

The above analysis shows that the product consists in whole or in part of neutral spirits.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, neutral spirits, had been mixed and packed therewith, so as to lower or reduce and injuriously affect its quality, and had been substituted in part for brandy, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Cognac Type Fin Vieux Brandy," and the statement, to wit, "Cognac Fin View Brandy Alargu d'Armoiries," together with a design of three stars and a device of fleurs de lys [lis], borne on the labels attached to the bottles, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article was fine old brandy of cognac type and that said article was cognac, to wit, a brandy produced in the Cognac district of France, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was fine old brandy of cognac type and that said article was cognac, to wit, a brandy produced in the Cognac district of France, whereas, in truth and in fact, it was not, but was a mixture consisting largely of neutral spirits produced in the United States of America.

Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 6, 1918, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*