

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 595, FOOD AND DRUGS ACT.

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### MISBRANDING OF WHISKY.

On or about December 18, 1908, William Lanahan & Sons, Baltimore, Md., shipped from the State of Maryland to the State of Louisiana 20 barrels of whisky labeled "Maryland Monogram Rye Whisky." An examination of samples of this product made by the Bureau of Chemistry, United States Department of Agriculture, showed that it was misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the said shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Louisiana.

In due course a libel was filed in the District Court of the United States for said district against the said 20 barrels of whisky, charging the above shipment and alleging that the product so shipped was misbranded because the labels above set forth were false and misleading in that they stated that the said 20 barrels contained straight whisky, when in truth and in fact the contents of said barrels were a rectified article compounded with grain distillate and not straight whisky at all, and praying seizure, condemnation, and forfeiture of the product. Thereupon Julius Groetsch, New Orleans, La., intervened and filed his claim and answer alleging himself to be the true and bona fide owner of the above mentioned barrels of whisky, and admitting the misbranding of the product as alleged in the libel above set forth.

The case coming on for hearing the court, considering the answer and admission filed therein, and being fully informed in the premises, issued its decree finding the whisky aforesaid to be misbranded and condemning same, with the proviso, however, that upon the payment of the costs of these proceedings by the claimant and the furnishing by him of a bond in the sum of \$1,000 conditioned that said whisky should not be disposed of contrary to law, that said whisky be delivered to him. Said costs having been paid and bond furnished by the above mentioned claimant as provided in said decree, the product

was forthwith delivered to him. This decree was rendered prior to the issuing of Food Inspection Decision 113, which revoked Food Inspection Decisions 45, 65, 95 and 98, relative to the labeling of whisky.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *September 9, 1910.*

