

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2166.

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

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### MISBRANDING OF VODKA.

On September 24, 1912, the United States Attorney for the Southern District of New York, 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 one case containing 100 bottles, and another case containing 200 bottles of vodka, remaining unsold in the original unbroken packages and in possession of S. Greenstein, Suffern, N. Y., alleging that the product had been shipped on or about September 20, 1912, by the Fulton Extract & Cordial Works, Brooklyn, N. Y., and transported from the State of New York, through the States of New Jersey and Pennsylvania, into the State of New York, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "Monopol Vodka—Made and Bottled in Russian Monopol." The product also bore a label in Russian characters stating that it was "Vodka."

Misbranding of the product was alleged in the libel for the reason that the label thereon bore a statement regarding it which was false and misleading in that the product was falsely branded as to the country in which it was produced and manufactured; that is to say, the statement in Russian, "Monopol Vodka—Made and Bottled in Russian Monopol," and in that the label bore a statement indicating that the printing of the label was done by the Excise or Interior Department of the Empire of Russia; whereas, as a matter of fact, the product was made and bottled in the borough of Brooklyn, State and city of New York, and the printing of the label was done within said borough, city, and State. Misbranding was alleged for the further reason that the product was an imitation of and offered for sale under the distinctive name of another article, and in that it was

labeled and branded so as to deceive and mislead the purchaser, and in that it purported to be a foreign product, when in fact it was of domestic origin and manufacture; and it was further misbranded in that the label thereon bore a statement, design, and device regarding the ingredients and substances contained therein which was false and misleading in that, whereas the label bore a statement indicating that the printing of said label and device was done by the Excise or Interior Department of the Empire of Russia, and the statement that the product purported to be "Monopol Vodka—Made and Bottled in Russian Monopol," in truth and in fact, said printing was not done under the auspices of the Empire of Russia or any of its agencies, but was done in the borough of Brooklyn, city and State of New York, and the product was manufactured and produced by the Fulton Extract & Cordial Works in the borough of Brooklyn, city and State of New York.

On October 17, 1912, a decree of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

WILLIS L. MOORE,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *December 31, 1912.*

