

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2229.

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

ADULTERATION AND MISBRANDING OF BEER.

On September 24, 1912, the United States Attorney for the District of Massachusetts, 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 ten crates of beer, remaining unsold in the original unbroken packages, at Boston, Mass., alleging that the product had been shipped by Obermeyer & Liebmann, Brooklyn, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Obermeyer & Liebmann—Pilsener Style Beer—Brewed from Choice Malt and fine Hops by Obermeyer & Liebmann—Bottled at the Brewery—New York City."

Adulteration of the product was alleged in the libel for the reason that substances, to wit, cereal, starchy material, and sugar, had been substituted in part for the product. Misbranding was alleged for the reason that the label on the product bore a statement, design, and device regarding it and the ingredients and substances contained therein which was false and misleading in a certain particular, that is to say, the words "Brewed from choice malt and fine hops" placed thereon, would lead the purchaser to believe that the product was brewed wholly from malt and hops, whereas in truth and in fact it was not so brewed.

On November 5, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *January 20, 1913.*

