

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2256.

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

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### MISBRANDING OF VODKA.

On September 27, 1912, the United States Attorney for the Middle District of Pennsylvania, 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 five cases, each containing 24 bottles of vodka, remaining unsold in the original unbroken packages and in the possession of Michael Bosak, Scranton, Pa., alleging that the product had been shipped on or about August 20, 1912, from New York, N. Y., and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The product was labeled in Russian, and was also labeled in English as follows: "Monopole Vodka, made and bottled by the Russian Monopole."

Misbranding of the product was alleged in the libel for the reason that it was labeled as aforesaid, thereby indicating, declaring, and publishing, and intending thereby to publish and declare, that the product was genuine vodka, of Russian manufacture, whereas, in truth and in fact, it was not such genuine vodka, but consisted of 110 proof spirits, in imported vodka bottles, in imitation of and substituted for genuine vodka, and further, that the labels upon the product, proclaiming it to be "Monopole Vodka, made and bottled by the Russian Monopole," were misleading and false, for the reason that it was not genuine vodka of Russian manufacture, but consisted of an imitation of genuine vodka, in imported vodka bottles, and labeled as above indicated, in imitation of and substituted for genuine vodka, of Russian manufacture, and thereby intended to mislead and deceive the purchaser, so as to offer the product for sale under the distinctive name of another article.

On October 24, 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 sold by the United States marshal.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 27, 1913.*