

**6615. Adulteration and misbranding of brandy or brandy cognac type.**  
**U. S. \* \* \* v. Bertin & Lepori, a corporation. Plea of guilty.**  
**Fine, \$25.** (F. & D. No. 8613. I. S. No. 19127-p.)

On April 16, 1918, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Bertin & Lepori, a corporation, San Francisco, Calif., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 19, 1917, from the State of California into the State of Nevada, of a quantity of an article labeled in part, "Brandy, Cognac Brandy Type," 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 as grams per 100 liters proof spirit unless otherwise specified:

Proof at 60° F. (degrees)_____	87.1
Solids_____	378.4
Acids, total, as acetic_____	106.2
Esters, as acetic_____	24.6
Aldehydes, as acetic_____	3.4
Furfural _____	0.57
Fusel oil_____	29.7
Color (degrees, Lovibond, 0.5-inch cell)_____	7.5
Color insoluble in amyl alcohol (per cent)_____	40

Paraldehyde test for caramel: Positive.

Caramel: Present.

Residue on distillation: Trace of resins, odor of wood.

The product consists of neutral spirits mixed with brandy.

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

Misbranding of the article was alleged for the reason that the statements, to wit, "Brandy" and "Cognac Brandy Type," borne on the keg containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was brandy and that it was cognac brandy type; 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 brandy and that it was cognac brandy type, whereas, in truth and in fact, it was not brandy and was not cognac brandy type, but was a product composed in whole or in part of either neutral spirits, grape spirits, or brandy spirits.

On June 17, 1919, the defendant corporation entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*