

Declassified E.O. 12356 Section 3.3/NND No. 785017

ACC

10000/109/1866

CLOSING
JUNE - A

Declassified E.O. 12356 Section 3.3/NND No. 785017

10000/109/1866

CLOSING OF FACTORIES, STORES & SHOPS
JUNE - AUG. 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

Ref 765/22/CA

2 August 1944

SUBJECT: Closing of "La Sorgente" and Seizing of Liquor.

TO : Hq. PBS (Office of the Provost Marshal)
APO 782, U.S. Army

Your 1st W/Ind dated 28 July 44 is returned with your enclosures. We now send you copies of the following documents as requested.

1. Report dated 15 June 44 from PRSS to Regional Commissioner Region III.
2. Translation of statement dated 4 June 44 made by Carmarrella Carmine director of "La Sorgente".
3. Copy of Receipt dated 22 May 44 for seized liquor.
4. Certificate of analysis dated 10 May 44 made by Laboratorio d' Igiene e Profilassi.

NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

1968

785017

1st w/Ind

HPD/heh

1Q P.B.S., OFFICE OF THE PROVOST MARSHAL, APO 782, U.S. Army, 28 July 1944.

TO: Headquarters, AGO, Office of the Chief Commissioner, APO 394, U.S. Army.

Reference basic communication, note Ind No. 3, Requesting
attachments referred to in Memo, Hq AGO, dated 12 July 1944.

For the PROVOST MARSHAL:

HARRY P. DOLAN,
Captain, C.M.P.,
Chief of Investigation.

Incl:

Ltr A/CC 386.8 765/9/CA and attached papers.

13 July 1944

1 26/7/44 Capt. PM
Dolan

1. This case is presently under investigation by the
U.S. Claim Commission.

2. Suggest attached correspondence be forwarded to
U.S. Claim Commission, Attention: Capt. Wilson.

HARRY P. DOLAN,
Captain, C.M.P.,
Chief of Investigation

2 26/7/44 PM U.S.
Claims
Comm

For your information.

For and in the absence of the PROVOST MARSHAL:

RALPH A. TOLVE,
Major, C.M.P.

ENS/BJP

In reply refer to:
A/CC 386.8
765/9/CA

13 July 1944

50 497
14 JUL 1944

SUBJECT: Closing of "La Sorgente" and seizing of liquor

TO : Commanding General, Peninsular Base Section, APO 782

I forward for your information and any action you wish to take a memorandum on the seizure of liquor in Naples alleged to have taken place during May.

ELLERY W. STONE
Captain, USNR
Acting Chief Commissioner

1 Incl:
Memo, Hq ACC, above subject
12 July 1944

1968

HEADQUARTERS
LIED CONTROL COMMISSION
, APO 394

MEMORANDUM:

12th July 1944

CLOSING OF "LA SORGENTE" AND SEIZING OF LIQUOR.

1. Allegations are made that the firm of "La Sorgente", Supportico Lopez 20, NAPLES, was visited by American Military Police at the beginning of May 1944, that the premises were closed down and the entire stock of wines and spirits removed without payment. A receipt for the liquor was given, signed for the PHS Officers Club, NAPLES, and the liquor has been traced to a firm that supplies the PHS Officers Club.
2. Reference is made below to the following attachments:
 - (a) Report dated 15 June 1944 from RPSO to Regional Commissioner, Region III. Appendix "A".
 - (b) Translation of statement dated 5 June 1944 made by CAMMARIELLA Carmine, director of "La Sorgente". Appendix "B".
 - (c) Copy of receipt dated 22 May 1944 for the seized liquor. Appendix "C".
 - (d) Certificate of analysis dated 10 May 1944 made by Laboratorio d'Igiene e Profilassi. Appendix "D".
3. (a) Early in May the firm of "La Sorgente" was visited by some American Military Police under a 2nd Lieut. and closed down, the reason given for this action being that the firm was believed to have received its supplies of alcohol from a source at Ponigliano d'Arco which was considered suspect. Protests were made that this was not the source of supply, and supporting documentary evidence produced. The premises were locked and keys removed by the Police.
- (b) About a week later Cammaridella Carmine, director of "La Sorgente" made enquiries of the Military Police and asked for samples to be taken for analysis.
- (c) About three days later Military Police visited the firm and took samples of liquor.
- (d) At the same time Cammaridella states he took samples from the same stocks as the police and had them analysed by Laboratorio d'Igiene e Profilassi. The result (Appendix "D") is satisfactory.
- (e) Cammaridella showed the analysis to the Military Police, Corso

1965

2. Reference is made below to the following attachments:

- (a) Report dated 13 June 1944 from RPSO to Regional Commissioner, Region III. Appendix "A".
- (b) Translation of statement dated 5 June 1944 made by CAMMARIELLA Carmine, director of "La Sorgente". Appendix "B".
- (c) Copy of receipt dated 22 May 1944 for the seized liquor. Appendix "C".
- (d) Certificate of analysis dated 10 May 1944 made by Laboratorio d'Igiene e Profilassi. Appendix "D".

3. (a) Early in May the firm of "La Sorgente" was visited by some American Military Police under a 2nd Lieut. and closed down, the reason given for this action being that the firm was believed to have received its supplies of alcohol from a source at Pomigliano d'Arco which was considered suspect. Protests were made that this was not the source of supply, and supporting documentary evidence produced. The premises were locked and keys removed by the police.

(b) About a week later Cammaridella Carmine, director of "La Sorgente" made enquiries of the Military Police and asked for samples to be taken for analysis.

(c) About three days later Military Police visited the firm and took samples of liquor.

(d) At the same time Cammaridella states he took samples from the same stocks as the police and had them analysed by Laboratorio d'Igiene e Profilassi. The result (Appendix "D") is satisfactory. 1865

(e) Cammaridella showed the analysis to the Military Police, Corso Umberto, but was informed that an analysis made by them showed a percentage of bad spirit.

(f) On 22 and 23 May all stocks on the firm's premises were removed under supervision of the Military Police and a receipt given (App. "C"). It is stated that the seized stock included pure spirit and liquors such as cognac, strapp, cherry brandy, etc., to the value of two million lire approximately.

(g) Cammaridella learned from one of the men employed to move the liquor that some of it was taken to "Salina", Via Traccia, Poggioreale, and himself alleges that he has seen some at MP HQ, Corso Garibaldi.

(h) On enquiry by RPSO at "Salina" a copy of the same receipt (Appendix "C") was produced by Lieut. Eby who was in charge there, and it was confirmed that all items were brought to "Salina".

- 2 -

- (i) It is stated that "gaida" manufactures liquor for PBS.
- (j) The keys of "La Sorigente" have been returned but payment has not been made.

4. The matter was first brought to the notice of this HQ by the Regional Commissioner, Region III, who recommended investigation into the incident. The correspondence was then forwarded to Administrative section for the views of the Legal and Public Safety sub-commissions whose replies will be found in Appendices "g" and "h".

(C O P Y)

1962

16

ENS/hjp

In reply refer to:
A/CC 386.8
765/9/CA

13 July 1944

54497
14 JUL 1944

SUBJECT: Closing of "La Sorgente" and seizing of liquor

TO : Commanding General, Peninsular Base Section, APO 782

I forward for your information and any action you wish to
take a memorandum on the seizure of liquor in Naples alleged to have
taken place during May.

ELLERY W. STONE
Captain, USNM
Acting Chief Commissioner

1 Incl:
Memo, Hq ACC, above subject
12 July 1944

cc. CA B+

1963

HEADQUARTERS
FIELD CONTROL COMMISSION
, APO 394

MEMORANDUM:

12th July 1944

CLOSING OF "LA SORGENTE" AND SEIZING OF LIQUOR.

1. Allegations are made that the firm of "La Sorgente", Supportico Lopez 20, NAPLES, was visited by American Military Police at the beginning of May 1944, that the premises were closed down and the entire stock of wines and spirits removed without payment. A receipt for the liquor was given, signed for the PBS Officers Club, NAPLES, and the liquor has been traced to a firm that supplies the PBS Officers Club.
2. Reference is made below to the following attachments:
 - (a) Report dated 15 June 1944 from HPSO to Regional Commissioner, Region III. Appendix "A".
 - (b) Translation of statement dated 5 June 1944 made by CAMMARDIELLA Carmine, director of "La Sorgente". Appendix "B".
 - (c) Copy of receipt dated 22 May 1944 for the seized liquor. Appendix "C".
 - (d) Certificate of analysis dated 10 May 1944 made by Laboratorio d'Igiene e Profilassi. Appendix "D".
3.
 - (a) Early in May the firm of "La Sorgente" was visited by some American Military Police under a 2nd Lieut. and closed down, the reason given for this action being that the firm was believed to have received its supplies of alcohol from a source at Pomigliano d'Arco which was considered suspect. Protests were made that this was not the source of supply, and supporting documentary evidence produced. The premises were locked and keys removed by the Police.
 - (b) About a week later Cammardella Carmine, director of "La Sorgente" made enquiries of the Military Police and asked for samples to be taken for analysis.
 - (c) About three days later Military Police visited the firm and took samples of liquor.
 - (d) At the same time Cammardella states he took samples from the same stocks as the police and had them analysed by Laboratorio d'Igiene e Profilassi. The result (Appendix "D") is satisfactory.
 - (e) Cammardella showed the analysis to the Military Police, Corso Umberto, but was informed that an analysis made by them showed a

signed for the PPS Officers Club, NAPLES, and the liquor has been traced to a firm that supplies the PPS Officers Club.

2. Reference is made below to the following attachments:

- (a) Report dated 15 June 1944 from RPSO to Regional Commissioner, Appendix "A".
- (b) Translation of statement dated 5 June 1944 made by CAMMARDELLA Carmine, director of "La Sorgente". Appendix "B".
- (c) Copy of receipt dated 22 May 1944 for the seized liquor. Appendix "C".
- (d) Certificate of analysis dated 10 May 1944 made by Laboratorio d'Igiene e Profilassi. Appendix "D".

3. (a) Early in May the firm of "La Sorgente" was visited by some American Military Police under a 2nd Lieut. and closed down, the reason given for this action being that the firm was believed to have received its supplies of alcohol from a source at Pomigliano d'Arco which was considered suspect. Protests were made that this was not the source of supply, and supporting documentary evidence produced. The premises were locked and keys removed by the Police.

(b) About a week later Cammardella Carmine, director of "La Sorgente" made enquiries of the Military Police and asked for samples to be taken for analysis.

(c) About three days later Military Police visited the firm and took samples of liquor.

(d) At the same time Cammardella states he took samples from the same stocks as the police and had them analysed by Laboratorio d'Igiene e Profilassi. The result (Appendix "D") is satisfactory. 1362

(e) Cammardella showed the analysis to the Military Police, Corso Umberto, but was informed that an analysis made by them showed a percentage of bad spirit.

(f) on 22 and 23 May all stocks on the firm's premises were removed under supervision of the Military Police and a receipt given (App. "C"). It is stated that the seized stock included pure spirit and liquors such as cognac, strega, cherry brandy, etc., to the value of two million lire approximately.

(g) Cammardella learned from one of the men employed to move the liquor that some of it was taken to "Saída", Via Traccia, Poggioreale, and himself alleges that he has seen some at MP HQ, Corso Garibaldi.

(h) On enquiry by RPSO at "Saída" a copy of the same receipt (Appendix "C") was produced by Lieut. Eby who was in charge there, and it was confirmed that all items were brought to "Saída".

- 2 -

- (1) It is stated that "Saide" manufactures liquor for PHS.
- (j) The keys of "La Sorgente" have been returned but payment has not been made.

4. The matter was first brought to the notice of this HQ by the Regional Commissioner, Region III, who recommended investigation into the incident. The correspondence was then forwarded to Administrative Section for the views of the Legal and Public Safety Sub-Commissions whose replies will be found in Appendices "E" and "F".

1361

(C O P Y)

HEADQUARTERS

REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. ARMY

15 June 1944

PS/23

SUBJECT: 'La Sorgente' - Seizure of Liquor.

TO : Regional Commissioner.

1. On instructions from Regional Commissioner enquiries have been made by Major Way, of this office, into the seizure of liquor etc. from the premises of the firm 'La Sorgente' Suppartico Lopez 29, Naples.
2. On 5 June 1944, Cammardella Carmine, Via Vergini 29, Naples, a director of the firm was seen and a statement taken from him. This is attached.
3. Cammardella states that the firm was visited and closed down after a visit by American Military Police, Metropolitan Area, about the beginning of May. He was told that the reason for this action was due to the fact that the firm was alleged to have received supplies of alcohol from a source at Pomigliano d' Arco, which was considered suspect.
4. No samples were taken, in spite of protests to the effect that no alcohol had been received from Pomigliano d'Arco.
5. Later, samples were taken by the Military Police at Cammardella's request, and an independent analysis was also made by the Laboratorio di Igiene e Profilassi. This is attached, and shows that the samples taken were satisfactory.
6. Later on producing this analysis Cammardella was told at the Military Police Station, Corso Umberto, that it was valueless, and that an analysis made by the Military Police showed a percentage content of bad spirit.
7. On 22nd and 23rd May, all stocks were removed from the firm's premises under supervision of Military Police and a receipt issued. A copy is attached, signed by 'Felix B. ZOLLICOFFER, 1st Lt. Inf.' for the P.B.S. Officers Club.
8. Attempts to interview this Officer failed as he has since been

- 2 -

12

transferred from P.B.S.

9. Enquiry was made of the Ditta 'Saida' Via Traccia, manufacturers of liquors for P.B.S., Lt. Eby, Officer in Charge, produced a copy of this same receipt, and confirmed the fact that all this stock shown thereon was brought to that firm.

10. Lt. Eby stated that none of this stock had as yet been used, and was unable to say whether any payment had been made.

11. Enquiry of Lt.Col. Holmes, Economics and Supply Division, Region 3, shows that on 29th March 1944 the firm of 'La Sorgente' was authorised to ~~supply~~ 600 litres of alcohol from the firm of Lombardi Antonio, Cimitile, to make intoxicates for the Officers Mess, Parco Hotel.

12. This order was not completed as the supply was of an unsatisfactory quality and, according to Cammardella, all the stocks on the premises when the seizure took place were obtained from Salerno Province, where there is no restriction on sale or supply.

13. The position appears to be either that the liquor is good and the firm are entitled to payment, or of an inferior quality and unfit for human consumption.

14. The fact that the firm has been closed by P.B.S. authority without reference to Economics and Supply Division also seems irregular, and an interference with the proper function of AMG. Whether the closing is temporary or permanent is not known, but if the former the firm are not in a position to start business again without some re-assurance as to their position. If the latter, it is a matter solely for Economics and Supply Division.

C.T. Francis

C.T. FRANCIS
Lieut. Colonel, G.I.,
Regional Public Safety Officer.

AGPW/tp.

1353

Procura, 5 June 1944

STATEMENT of CAMMARDELLA Carmine, Via Vergini 29, Naples.

I am the managing director of the firm "La Sorgente," Supportioo Lopez 29, Naples, manufacturers of liqueurs.

At the beginning of May, a number of American Military Police under a 2nd Lt., came to the factory and in the course of conversation with me, said that as my firm had received supplies of alcohol from a certain firm in Pomigliano d'Arco, whose supplies were found to be poisonous, my firm was to cease manufacture. I told the M.P.'s that I had received no supplies from this firm for three months, and that this supply was finished. I showed the papers which accounted for all stocks on the premises at the time. None were supplied by the firm at Pomigliano d'Arco. However, the Lt. still told me that the premises must be closed, and they were in fact locked and the keys taken by the M.P.'s. I was told that investigations would have to be made and these would take two or three days. No samples of our supplies were taken at this time. When I heard nothing after about a week, I went to the Military Police and made enquiries. I asked that samples be taken for analysis. This was agreed and the M.P.'s came about three days later and took samples of every quality of alcohol the firm possessed. At the same time I obtained an independent analysis by the Laboratorio d'Igiene e Profilassi of the same stocks from which the M.P.'s had taken samples. As soon as I got the analysis I went to the M.P.'s and showed it to them. I was told that this analysis was valueless as their own analysis showed a proportion of bad spirit.

On the 22nd and 23rd the M.P.'s again came to the factory and removed everything, both manufactured and unmanufactured spirits. Some of the stock was removed to the firm "Saida", Via Traccia, Poggioreale. I was told this by the workmen who were loading the truck, and who belonged to the firm. Some of the rest was removed to the M.P. HQ., Corso Garibaldi, because I have seen it there, but not very much. I asked for the analysis made by the M.P.'s in order that I could take proceedings against those who sold me the alcohol originally, but I was neither shown the original nor given a copy.

The alcohol seized consisted of pure spirit and manufactured liqueurs such as cognac, strega, cherry brandy, triple sec, anisette etc. to the value of two million, or more lire. The keys of the factory have been returned to me, and while my firm has not been forbidden to continue manufacture we cannot afford to do so if this kind of thing is likely to happen again.

We do not know what to do if the report of the official Italian analyst is not to be believed.

This statement has been read over and translated to me, and ~~1:15~~ 1:58

/sd/ Carmine Cammardella.

Witnessed by me as signatary
R. M. W. / 10/1

TRUE COPY

58 Bottles - Cognac Riserva - 1 liter each
15 " - Various Alcoholic Beverages
Misc. Volumes
2 50 L. Demijohns - Anisette - 100 Liters
4 50 L. " - Curacao - 200 "
1 30 L. " - Alcohol - 4 " (Approx)
7 Drums Alcohol - 1400 Litters (Approx)
1 " Strega - 200 "
3 " Cherry Brandy - 500 Liters (Approx)

Received from Raffaello Commordella,
Supportico Lopez No 29, Naples
by - P.B.S. Officers Club, Naples
/sd/ Felix B. Zollicoff
1st. Lt., Inf.
22 May 44.

1957



AMMINISTRAZIONE DELLA PROVINCIA DI NAPOLI
LABORATORIO D'IGIENE E PROFILASSI

Servizio riscossione tasse analisi

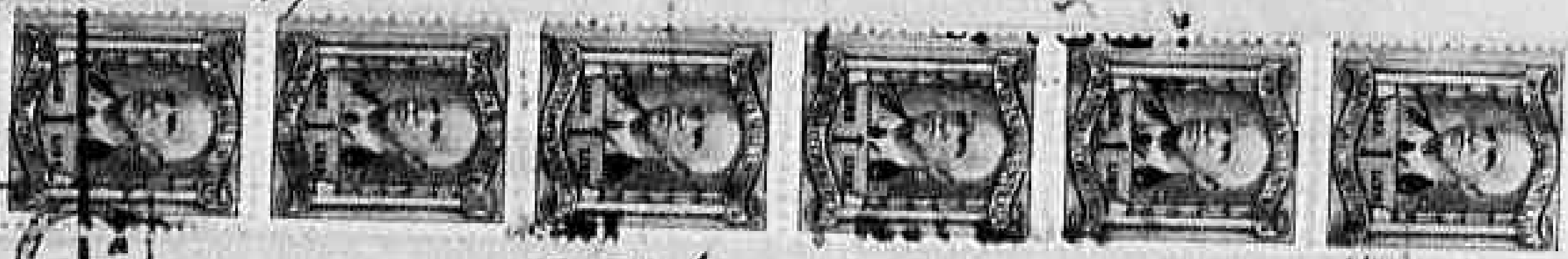
Quietanza n. ³³⁶ 336

Il Signor *La Signora Leopoldo Jannas*

ha versato

Lire *presente*
per tassa analisi

1197



Registro Generale

1955

10/5/44
1197

Napoli

11/5 1944 ()

Il Contabile

[Signature]

SERVIZIO DI VIGILANZA SANITARIA - ANNONARIA

VERBALE DI PRELEVAMENTO DI CAMPIONI DI SEQUESTRO PREVENTIVO

Oggi 10 del mese di Maggio dell'anno 1944 alle ore 12.30
i sottoscritti A richiesta della Parte giusta lettera al Laboratorio Igiene
in data 5/5/44
vigil sanitario provinciali si sono presentati all'esercizio di Fabbrica di Liquori
in Via Supportico Lopez n. 25 condotto da
Sig. 3 La Sorgente " rappresenta dal sig. Scopino Gennaro fu Francesco e fu
Anna Campanile nato in Napoli addi 1/8/1894

abitante in Napoli Via Solirena n. 76 e, data
conoscenza della qualità e del motivo della visita ha ~~non~~ proceduto al prelevamento di
campioni di Alcool

In presenza del Sig. Scopino Gennaro
ha tolto detto campione da N.4 fusti in ferro della capacità complessiva
di ettolitri 22.61 Detti fusti chiusi e piombati portanti rispettiva-
mente i numeri 1008 - 1010 - 766 - 234, dai quali si è fatto prelievo for-
mandone massa unica. Il signor Scopino ci dichiara che detto alcool
è stato ritirato dalla ditta Russo e Spina - Catania esibendo bolletta
di legittimazione N.000980 - 26/4/544

e le ha divise in tre campioni identici ~~in base di carta pagamentata~~ che sono stati suggellati
col bollo d'ufficio Pinza N.12 e sono stati muniti di cartellini indicativi portanti
ognuno il n. 4573 e firmati dagli intervenuti

1952

Un campione è stato rimesso al Sig. Scopino Gennaro
che, presente all'operazione ed in seguito ad analoga domanda, ha dichiarato che tale

come sopra

Ritenuto che la merce in parola, in

la si è messo sotto se-

In data 5/5/44 richiesta della Parte Giusta lettera al Laboratorio Igienico
vigiil i sanitari i provinciali si sono presentati all'esercizio di Fabbrica di Liquori
in Via Supportico Lopez n. 25 condotto da

Sig. 3 La Sorgente " rappresenta dal sig. Scopino Gennaro fu Francesco e fu
Anna Campanile Nato in Napoli qddi 1/8/1894

abitante in Napoli Via Solimena n. 76 e, data
conoscenza della qualità e del motivo della visita ha ~~uno~~ proceduto al prelevamento di
campioni di Alcool

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di ettolitri 22.61 Detti fusti chiusi e piombati portanti rispettiva-
mente i numeri 1008 - 1010 - 766 - 234, dai quali si è fatto prelievo per
mandone massa unica. Il signor Scopino ci dichiara che detto alcool
è stato ritirato dalla ditta Russo e Spina - Catania esibendo bolletta
di legittimazione N.000980 - 26/4/544

e le ha divise in tre campioni identici ~~in botti di carta paraffinata~~ che sono stati suggellati
col bollo d'ufficio Pinza N.12 e sono stati muniti di cartellini indicativi portanti
ognuno il n. 453 e firmati dagli intervenuti

Un campione è stato rimesso al Sig. Scopino Gennaro
che, presente all'operazione ed in seguito ad analoga domanda, ha dichiarato che tale

~~come sopra~~

Ritenuto che la merce in parola, in

questo preventivo, munendola di cartellino indicativo e sigillo con bollo di Ufficio, lasciandola
in custodia e sotto la sua piena responsabilità al Sig.
che ha firmato il presente processo verbale dopo fattagliene lettura.

Firma dell'Esercente

Scopino Gennaro

Firma de Verbalizzante

Scopino Gennaro
Gennaro

Ref: 765/6/CA.

2 July 1944

SUBJECT: Unilateral action by P.B.S.

TO : Executive Commissioner.

1. Colonel Chapman wrote on 22 June to complain of a case in which P.B.S. Provost Section removed some wine from a merchant in Naples on the grounds that it was unfit for consumption. It appears, however, that the wine found its way into the P.B.S. Officers' Mess, and no proceedings were taken against the wine merchant for selling dangerous liquor. The R.P.S.O. and Acting Regional Commissioner of Region III both feel that there is a strong suspicion of irregularity in the seizure of the liquor and recommend that investigations be made.

2. I referred the matter to Adm Sec for the comments of Legal and Public Safety Sub-Commissions. These are at Folios 3 and 4 in the file. They confirm very strongly the reaction of Region III and Colonel Wilmer considers that, apart from the irregularity of P.B.S. not referring the matter to A.C.C., the whole circumstances are so suspicious as to render investigations essential.

3. This will mean probably a first class row with P.B.S. Do you wish to pursue the matter any further?

It has however been put up very strongly by two American officers - Col Chapman and Col Wilmer.

GWIS/JG.

ll
G.W.I. SHIPP,
Lieut.Colonel.

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1 JUL 1944 JUN 30 1944 Br 4825
3635 5
HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

25 June 1944

Ref/765/2/CA

SUBJECT: Closing of Industrial Plants, Stores and Shops
by Police.

TO : Admin. Section (for Legal and Public Safety Sub-Comm'n.)

1. I attach copy of a letter from R.C. Region III and
forward the papers in the case.

2. I agree very strongly with para 3 of the letter and
would be grateful for the opinion of your Legal and Public
Safety Sub-Commissions on the matter, before pursuing the mat-
ter further. An early reply would be appreciated.

W. S. Shipp, Col
Norman E. Fiske
Colonel
Deputy Executive
Commissioner

GWIS/JR

Rcmg

Herewith opinions of Legal and Safety
1552

Sub Cons
Admin
30 JUN 1944

for sec.

785017

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394

GRU/ap

30 Jun 44

SUBJECT : Closing of Industrial Plants,
Stores and Shops by Military
Police.

TO : VP ADM SEC

1. Reference 765/2/CA of 25 Jun 44.

2. As to seizure of the liquor: this does not appear to be justified on the ground of requisition and indeed the requisition of the whole stock could not be justified by international law.

As a seizure it was wholly illegal; for goods (not susceptible to war use) of private owners can (apart from requisition) only be impounded in connection with judicial proceedings in AM Courts or on the circumstances now under review under Art.100 of the Public Security Law which confers on the Prefect ample powers to close the shop and so on if bad wine is sold.

The high handed and improper action on the part of P.B.S. warrants in my view the strictest investigations especially in view of a suspicion as to the use to which the wine may have been put.

3. The matter should in any event have been referred to A.C.C. for investigation as they are the duly constituted body for dealing with such matters. As an emergency and pending test of the wine etc. P.B.S. could no doubt have put the house temporarily out of bounds or even closed the shop and this would have been sufficient to protect possible purchasers in Naples.

4. File returned herewith.

Richard H. W. Linn
G. R. ~~HEIGHT~~
Colonel *etc*

Openty Chief Legal Officer.

MEMORANDUM

TO : V.P. through Legal Sub-Commission.

1. Reference is made to the attached letter Ref 765/4/SA of 25th June, 1944.
2. This Sub-Commission is of the opinion that a complaint concerning the quality of liquor manufactured by a civilian firm should be referred to AMG. The investigation of such complaints is normally the duty of the Royal Finance Guards who are controlled by AMB Public Safety Officers.
3. The following points do not emerge from the papers.
 - a) The legal authority under which the Military Police acted in closing the civilian factory.
 - b) The necessity for seizing all the liquor.
 - c) The reason why the liquor was taken to the firm of "Saidat, Via Trilicia, Poggioreale, who supply the TBS Officers' Club.
 - d) Whether or not it is proposed to institute criminal proceedings against La Sordente, the firm accused of manufacturing bad liquor.

In the opinion of this Sub-Commission an investigation should be made to clear up these points.

R. W. Lee
Lt Col.

28th June 1944

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.C. SECTION
APO 394

Ref 765/2/CA

25 June 1944

SUBJECT: Closing of Industrial Plants, Stores and Shops
by Police.

TO : Admin. Section (for Legal and Public Safety Sub-Comm's.)

1. I attach copy of a letter from R.C. Region III and forward the papers in the case.

2. I agree very strongly with para 3 of the letter and would be grateful for the opinion of your Legal and Public Safety Sub-Commissions on the matter, before pursuing the matter further. An early reply would be appreciated.

JPK
NORMAN E. FISKE
Colonel
Deputy Executive
Commissioner

OWIS/JR

*Blm
x/7*
1843

765
24 JUN 1944
HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army



R/4157

22 June 1944

SUBJECT: Closing of Industrial Plants, Stores and
Shops by Police.

TO : Executive Commissioner, A.C.C.

1. Reference is made to the attached report PS/23 dated 15 June, 1944, together with accompanying documents.

2. The issue of closing industrial plants, stores and shops by police agencies is one that should receive immediate attention. The reported incident is a case in point. Business establishments ought not be closed except after consultation with A.M.G. officers, particularly Economics and Supply Officers.

3. There is a second issue in the reported incident. The report of Public Safety raises a strong suspicion of irregularity in the seizure of the liquor. I think it warrants some investigations.

John W. Chapman
JOHN W. CHAPMAN,
Colonel, JAGD,
Actg Regional Commissioner.

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