

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 310, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF "KOLA-ADE."

SOFT DRINK CONTAINING COCAIN.

On or about March 27, 1909, the Kola-Ade Company, of Atlanta, Ga., shipped from the State of Georgia to the State of Tennessee a consignment of a product known as "Kola-Ade." A sample from this shipment was procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the Kola-Ade Company, and the dealer from whom the sample was purchased, opportunities for hearings. As it appeared after hearings held that the above shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney General with a statement of the evidence on which to base a prosecution.

In due course a criminal information was filed against the Kola-Ade Company in the Circuit Court of the United States for the Northern District of Georgia, charging the above shipment and alleging that the product was adulterated, in that it contained an added deleterious ingredient, namely, cocain and coca leaf alkaloids, and was misbranded in that it contained cocain and failed to bear a statement on the label of the quantity or proportion of the cocain contained therein.

On March 19, 1910, the defendant entered a plea of guilty and the court imposed a fine of \$25.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *April 26, 1910.*

