

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY.
C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.
SUPPLEMENT.

N. J. 4751-4800.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 26, 1917.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4751. Adulteration and misbranding of "Croft's Milk Cocoa." U. S. v. Croft & Allen Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7253. I. S. No. 493-k.)

On May 11, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Croft & Allen Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 14, 1914, from the State of Pennsylvania into the State of New Jersey, of a quantity of "Croft's Milk Cocoa" which was adulterated and misbranded. The article was labeled: (On main label) "Croft's Milk Cocoa Manufactured under special process by Croft & Allen Co. Philadelphia U. S. A. One Half Pound Net When Packed Copyright 1901 by Croft & Allen Co. Croft's." (Picture of dairy farm, showing milkmaid and cow.) (On sticker) "Guarantee Manufactured and Guaranteed by Croft & Allen Co., Philadelphia, Pa., under the Food and Drugs Act, June 30, 1906. Serial No. 3373. Directions To each cup of milk use one or more teaspoonfuls of Cocoa. First put the Cocoa into a cup and add enough boiling water to make a paste; slowly pour paste into hot milk, bring to a boil. Boiling one or two minutes will improve it very much."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of cocoa, to which had been added 7.24 per cent of sugar, and about 9 per cent of solids derived from partly skimmed milk rather than from milk.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, sugar, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted, in whole or in part, for milk cocoa, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Milk Cocoa," was false and misleading in that it indicated to purchasers thereof that the article consisted of milk-cocoa, and for the further reason that it was labeled "Milk Cocoa" so as to deceive and mislead purchasers into the belief that it consisted of milk cocoa, when, in truth and in fact, it did not consist of milk cocoa.

On May 15, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*