

4981. Misbranding of fluid extract of coca. U. S. * * * v. The G. F. Harvey Co., a corporation. Plea of guilty. Fine, \$200. (F. & D. No. 5394. I. S. No. 1647-e.)

On February 19, 1914, the United States attorney for the Northern District of New York, 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 G. F. Harvey Co., a corporation, Saratoga Springs, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 8, 1912, from the State of New York into the State of New Jersey, of a quantity of an article labeled, in part, "Fluid Extract Cocoa," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Cocaine and its derivatives (grams per 100 cc)----- 0.573

Misbranding of the article was alleged in the information for the reason that the package or bottle failed to bear a statement on the label thereof of the quantity or proportion of cocaine and cocaine derivatives contained in said article; that is, failed to declare that said article contained, to wit, 0.573 gram of cocaine and cocaine derivatives per 100 cubic centimeters, which amount of said substances was actually present therein.

On June 21, 1916, the plea of not guilty to the information, theretofore entered by the defendant company, was withdrawn, and a plea of guilty was entered, and the court imposed a fine of \$200.

CARL VROOMAN, *Acting Secretary of Agriculture.*