

Issued November 12, 1910.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 646, FOOD AND DRUGS ACT.

MISBRANDING OF A DRUG PRODUCT—COCAINE.

On or about July 20 and 23, 1909, Charles Crescelius, New Albany, Ind., shipped from the State of Indiana to the State of Kentucky two boxes of a drug product, sold as cocaine. Samples of these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon showed that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said Charles Crescelius and the party from whom the samples were procured opportunities for hearings. As it appeared after hearings held that the shipments were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

On May 7, 1910, an indictment was returned against the said Charles Crescelius by the grand jurors of the United States in and for the District of Indiana, at the May term of the District Court of the United States for said district, charging the above shipments, and alleging that the product so shipped was misbranded, in that the two boxes aforesaid contained 80.34 per cent acetanilid and 19.64 per cent cocaine hydrochloride, and the label of said boxes failed to bear any statement of the proportion of acetanilid and cocaine hydrochloride contained therein.

On May 17, 1910, the defendant entered a plea of guilty to the above indictment and the court imposed a fine of \$10 and costs.

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., *October 6, 1910.*

