

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 935, FOOD AND DRUGS ACT.

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### ADULTERATION AND MISBRANDING OF "VANI-KOLA COMPOUND SYRUP."

On or about December 4, 1908, The Vani-Kola Company, a corporation, Canton, Ohio, shipped from the State of Ohio into the State of Michigan a quantity of a food product labeled "Vani-Kola Compound Syrup. Manufactured by The Vani-Kola Co., Canton, Ohio. Guaranteed under Pure Food & Drugs Act, Serial No. 6947." A sample from this shipment was procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and the product was found to contain 0.14 per cent caffeine and coca leaf alkaloids, including cocaine. As the findings of the analyst and report thereon indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said Vani-Kola Company and the party from whom the sample was procured were afforded 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 upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Northern District of Ohio against the said Vani-Kola Company charging the above shipment and alleging that the product so shipped was adulterated in that it contained added deleterious ingredients, viz, caffeine and cocaine, and that it was misbranded because it contained cocaine, while the container of said product failed to bear a statement thereon of the quantity or proportion of said cocaine present therein. On February 14, 1911, the defendant entered a plea of *nolo contendere* to the above information, whereupon the court imposed a fine of \$25 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., *June 6, 1911.*

