

**4456. Misbranding of "Poland Wine Bitters." U. S. \* \* \* v. Maryam Struzynski, et al. (Struzynski Bros.). Pleas of guilty. Fine, \$100 and costs. (F. & D. No. 6479. I. S. No. 1465-h.)**

On November 4, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Maryam Struzynski, Walter Struzynski, and Casmir Struzynski, formerly copartners, trading under the firm name of Struzynski Bros., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about September 10, 1913, from the State of Illinois into the State of Michigan, of a quantity of "Poland Wine Bitters," which was misbranded. The article was labeled: (On wrapper and bottle) "Poland Wine Bitters The Celebrated Wine Bitters Chenstohow Brand This Brand of Wine has been known in Europe for many years as the discovery of the Pauline Fathers of Chenstohow and can be recommended for its curative and hygienic qualities. Those who suffer with general debility, loss of strength, or appetite, indigestion or constipation, should use this wine. Dose: Three times a day, one or two tablespoonsful of the wine alone or in water immediately after meals. Children: A teaspoonful or according to age. Price \$1.00. Trade Mark Registered (Star and cross in separate circles, picture of church). Guaranteed by Struzynski Bros. Chicago, U. S. A. Under the Pure Food and Drugs Act, June 30, 1906, No. 19893. Contains alcohol 18% in the form of wine." (In Polish) "Celebrated Bitters Wine Chenstohow."

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

Specific gravity at 15.6° C.....	0.998
Alcohol (per cent by volume).....	21.92
Glycerol (gram per 100 cc).....	0.50
Solids (grams per 100 cc).....	6.16
Nonsugar solids (grams per 100 cc).....	2.29
Sucrose, Clerget (grams per 100 cc).....	None.
Reducing sugars, as invert (grams per 100 cc).....	3.87
Ash (gram per 100 cc).....	0.285
Phosphoric acid (P <sub>2</sub> O <sub>5</sub> ) (mgs. per 100 cc).....	42.8
Total acids, as tartaric (gram per 100 cc).....	0.38
Emodin: Present.	

Product is essentially a wine to which emodin-bearing and other unidentified drugs have been added.

Misbranding of the article was alleged in the information for the reason that the statements "Poland Wine Bitters," "The Celebrated Wine Bitters Chenstohow Brand," "This Brand of wine has been known in Europe for many years as the discovery of the Pauline Fathers of Chenstohow," and the statement in Polish "Celebrated Bitters Wine Chenstohow" were false and misleading in that they represented that the article of drugs was a product of Poland, manufactured in the town of Chenstohow, Poland, according to the discovery of the Pauline Fathers of Chenstohow, Poland, whereas, in truth and in fact, it was not, but was an article of drugs manufactured in the United States of America.

On December 4, 1915, the defendants entered pleas of guilty to the information and, on December 10, 1915, the court imposed a fine of \$100 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*