

WHAT IS CASTILE SOAP?

A lawsuit of special interest to all of our readers is pending in the complaint filed by the Federal Trade Commission against James S. Kirk & Company. The issue concerns the term "Castile" as applied to soap.

At the request of the JOURNAL OF OIL AND FAT INDUSTRIES, James S. Kirk & Company has prepared the following statement, in which the facts of the case are clearly set forth. The statement reads:

"On February 29, 1924, James S. Kirk & Company was singled out among other manufacturers of Castile Soap in this country and named as respondent in a complaint filed against it by the Federal Trade Commission of the United States. The gist of the complaint was that James S. Kirk & Company in designating certain brands of soap, which did not contain olive oil to the exclusion of other fatty and oil ingredients, as Castile, deceived the public and thus was unfair in its competition with those manufacturers and importers of Castile Soap made exclusively of olive oil.

"The Commission asserted that Castile as a designation for soap signified solely an olive oil ingredient.

"James S. Kirk & Company for a period of 84 years has been continuously engaged in the manufacture of soap in the City of Chicago. Its business career has been most honorable and its reputation unimpeachable. For over one-half a century American manufacturers of soap have made and sold to the American public vast quantities of soap labeled Castile which did not contain olive oil as an ingredient thereof. The volume of production of American soap manufacturers today of non-olive oil Castile Soap is very large. The volume of imported olive oil Castile Soap is minute in comparison.

"It is most properly contended by James S. Kirk & Company that the name Castile when applied to soap, because of its usage by the trade and by the public, has no significance as to an olive oil ingredient. It seems undeniable that the name Castile means to the trade and to the public a pure high-grade toilet soap. The respondent is joined by practically all American soap manufacturers in its belief that Castile does not mean to the trade or to the public a soap of which the sole oil ingredient is olive oil.

"The motion of James S. Kirk & Company to dismiss the complaint was denied by the Federal Trade Commission. A hearing was held in Washington on October 4th, 1926, at which date the Commission began the introduction of its evidence. The respondent intends to vindicate the honesty of its branding and to protect for the soap trade and the American public the present meaning and usage of the word Castile. Testimony is being secured from all branches of the soap trade and from the public."