

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1314.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF LEMON EXTRACT.

On October 31, 1910, the United States Attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying condemnation and forfeiture of four gross "X. L. C. R. Lemone Mixture" in the possession of the Library Tea Co., Detroit, Mich. The product was labeled: "XLCR Lemone Mixture—Oil Lemon 1.16, Alcohol absolute, 36.00, Water 62.84.—The Schorndorfer and Eberhard Company, Cleveland, O."

An examination of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: specific gravity, 0.9582; alcohol (per cent by volume), 36.08; methyl alcohol, absent; lemon oil, absent; citral, 0.05 per cent; solids, 0.17 per cent; artificial coloring matter—unidentified, a vegetable color, not lemon or orange peel. The libel alleged that the product, after shipment by the Schorndorfer & Eberhard Co., Cleveland, Ohio, from the State of Ohio into the State of Michigan, remained in the original unbroken packages, and was adulterated and misbranded in violation of the Food and Drugs Act of June 30, 1906, and was, therefore, liable to seizure for confiscation. Adulteration was alleged for the reason that a substance, to wit, a highly dilute terpeneless extract of lemon, had been mixed and packed with the product so as to reduce and lower its quality and strength, and had been substituted therefor. Misbranding was alleged for the reason that the label represented the product to contain 1.16 per cent oil of lemon when in fact the product contained no oil of lemon, but, on the contrary, consisted of a highly dilute terpeneless extract of lemon, and the representation was therefore false and misleading and calculated to deceive and mislead the purchaser.

On April 4, 1911, the case coming on for hearing, and no one having appeared as claimant, the court found the product adulterated and misbranded, as alleged, and condemned and forfeited it to the United States and ordered its destruction by the marshal.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 23, 1912.*