

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2047.

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

MISBRANDING OF LEMON FLAVOR.

On March 22, 1912, the United States Attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Aaron Blumenthal, Joseph Blumenthal, Abraham Blumenthal, Jacob Blumenthal, Moses Blumenthal, and Meyer Blumenthal, doing business under the name of Blumenthal Bros., a copartnership, Philadelphia, Pa., alleging shipment by them, in violation of the Food and Drugs Act, on or about March 17, 1911, from the State of Pennsylvania into the State of North Carolina, of a quantity of lemon flavor which was misbranded. The product was labeled: "Blumenthal Bros. 257 N. Third St. Philadelphia. Justrite Lemon Flavor Citral and Color Added Guaranteed by Blumenthal Bros. under the Food and Drugs Act June 30, 1906. Serial No. 2031. Manufacturers and Importers of Flavoring Extracts, Essential Oils Harmless Colors and Sundries."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 15.6° C., 0.9076; alcohol, per cent by volume, 61.66; methyl alcohol, none; solids (grams per 100 cc.), 0.06; lemon oil by precipitation, 0.50 per cent; lemon oil by rotation, 0.53 per cent; citral (Hiltner method), 0.36 per cent; color, coal-tar dye, Naphthol Yellow S, S. & J. No. 4. Sample was not a lemon flavor but a terpeneless lemon extract containing a little oil of lemon and artificially colored. Misbranding was alleged in the information for the reason that the labels of the product bore a statement regarding it and the ingredients and substances containing it which was false and misleading in that each bottle of the product was labeled as set forth above by which label it was represented that the product was a lemon flavor, whereas, in truth and in fact, it was not a lemon flavor for the reason that lemon flavor should contain 5 per cent in volume of lemon oil, while in truth

and in fact the product did not contain 5 per cent in volume of lemon oil, but contained approximately one-half of 1 per cent of lemon oil.

On May 29, 1912, the defendants entered a plea of guilty to the information and the court imposed a fine of \$1.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 30, 1912.*

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