

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2739.

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

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**U. S. v. Magnus, Mabee & Reynard. Plea of guilty. Fine, \$50.**

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### ADULTERATION AND MISBRANDING OF OIL OF LEMON.

On July 6, 1911, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the Circuit Court of the United States for said district an information against Magnus, Mabee & Reynard, a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on September 10, 1910, from the State of New York into the State of North Carolina, of a quantity of oil of lemon which was adulterated and misbranded. The product was labeled: "Sicilian Brand Oil Lemon. Super hand Pressed. Messina Essential Oil Co. Messina, Italy. Magnus, Mabee & Reynard Inc. New York. 9-10-10."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity, 0.8567; rotation of original oil, 57.53; rotation of first 10 per cent distillate, 53.60; refractive index of original oil, 1.4736; refractive index of first 10 per cent distillate, 1.4712; refractive index of 10 per cent residue, 1.4900; total aldehydes as citral, 7.6 per cent; citral, 7.3 per cent; alcohol (per cent by volume), 0.44. Adulteration of the product was alleged in the information for the reason that certain substances other than oil of lemon, to wit, among others, ethyl alcohol, had been mixed with the article so as to reduce, lower, and injuriously affect its quality and strength, and also certain substances other than oil of lemon, to wit, among others, ethyl alcohol, had been substituted in part for the article. Misbranding was alleged for the reason that the product was labeled as set forth above so as to

deceive or mislead the purchaser or purchasers thereof, in that the package, container, and label thereof bore a statement regarding such article and the ingredients and substances contained therein which was false and misleading, in that said label stated it was super hand pressed oil lemon, whereas in fact it was not super hand pressed oil lemon but was an adulterated and mixed product consisting in part of ethyl alcohol and other substances foreign to oil of lemon, and in that said article was an imitation of and offered for sale under the distinctive name of another article, to wit, oil of lemon, whereas in fact it was not that article but was as last hereinbefore described, and otherwise differed from super hand pressed oil lemon.

On May 22, 1913, the defendant company entered a plea of guilty to the information and on May 23, 1913, the court imposed a fine of \$50.

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

WASHINGTON, D. C., *October 13, 1913.*

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