

4450. Adulteration and misbranding of "Oil Lemon." U. S. * * * v. Magnus & Lauer, a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 6433. I. S. No. 650-h.)

On October 4, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Magnus & Lauer, a corporation, San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 26, 1914, from the State of California into the State of Utah, of a quantity of "Oil Lemon," which was adulterated and misbranded. The article was labeled: "Magnus & Lauer Extracts Vanilla Beans Essential Oils M L Fruits Fruit Juices Fruit Syrups Oil Lemon 139-141 Fremont St. San Francisco. Cal. Guaranteed by Magnus & Lauer Inc. under the Food & Drugs Act June 30, 1906 Serial Number 25454 Net contents 1 lb."

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

Specific gravity, at 25° C./25° C.....	0.8548
Citral, U. S. P. method (per cent).....	3.58
Rotation at 25° C. (degrees).....	65.5
Rotation of 10 per cent distillate, 25° C. (degrees).....	60.6
Difference in rotation (at 25° C.) (degrees).....	4.9
Refractive index at 20° C.....	1.4743
Refractive index of 10 per cent distillate, at 20° C.....	1.4705
Alcohol (per cent by volume).....	0.53

Product is a washed oil of lemon.

Adulteration of the article regarded as a drug was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that the article contained less than 4 per cent of aldehyde, calculated as citral, whereas said Pharmacopœia provides as a test for oil of lemon that it shall not contain less than 4 per cent of aldehyde, calculated as citral. Adulteration of the article regarded as a food was alleged for the reason that a washed oil of lemon had been substituted, in whole or in part, for genuine oil of lemon, which the article purported to be, and further for the reason that a valuable constituent of the article, to wit, citral, had been, in part, abstracted therefrom.

Misbranding of the article considered as a food was alleged for the reason that the following statement appearing on the label "Oil Lemon" was false and misleading in that it indicated to the purchasers thereof that the article was genuine oil of lemon, and deceived and misled the purchasers into the belief that it was genuine oil of lemon, when, in truth and in fact, it was not, but was, to wit, a washed oil of lemon. Misbranding was alleged for the further reason that the article was a washed oil of lemon and was an imitation of, and was sold under the distinctive name of, another article, to wit, genuine oil of lemon.

On October 20, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*