

4699. Adulteration and misbranding of "Lemon Flavor." U. S. v. John N. Hickok et al. (John N. Hickok & Son). Plea of guilty. Fine, \$25.
(F. & D. No. 7126. I. S. No. 8885-h.)

On April 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John N. Hickok and Burt N. Hickok, copartners, trading as John N. Hickok & Son, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on January 16, 1914, from the State of New York into the State of Kansas, of a quantity of "lemon flavor," which was adulterated and misbranded. The article was labeled: "Lemon flavor. These Goods are guaranteed to comply with National Pure Food Law of June 30, 1906, also Kansas Pure Food Law of February 14, 1907. Leavenworth Candy Co., Superfine Flavoring Extracts, Manufactured Expressly for fine Ice Cream, Confectionery and Bakers Trade. Leavenworth Candy Co. Manufacturing Confectioners, Leavenworth, Kans."

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

Ethyl alcohol (per cent by volume)-----	73.1
Methyl alcohol: Absent.	
Aldehydes, by Hiltner method (per cent)-----	0.18
Lemon oil, by precipitation (per cent)-----	3.4
Lemon oil, by polarization (per cent)-----	2.8

A dilute lemon extract.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a dilute lemon extract, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength and had been substituted in part for lemon flavor, which the article purported to be.

Misbranding was alleged for the reason that the statement to wit, "Lemon Flavor," regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was a genuine lemon flavor and was such as to deceive and mislead the purchaser into the belief that it was a genuine lemon flavor, whereas, in truth and in fact, it was not, but was a dilute lemon extract.

On April 25, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*