

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 500, FOOD AND DRUGS ACT.

MISBRANDING OF LEMON EXTRACT.

On or about July 14, 1909, the California Perfume Company, New York City, shipped from the State of New York to the State of Kentucky a consignment of a food product labeled "California Flavoring Extract Lemon." Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report made indicated that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded the said California Perfume Company, and the dealer from whom the samples were procured, opportunities for hearings. As it appeared after hearings held that the above shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the Circuit Court of the United States for the Southern District of New York against said California Perfume Company, charging the above shipment and alleging that the product, shipped as aforesaid, was misbranded, because the label above set forth was false and misleading, the product being, in truth and in fact, a dilute terpeneless extract of lemon, with artificial coloring, which was not declared, and because the label in question represented each bottle to contain "4 oz." when, as a matter of fact, the quantity contained in said bottles was over 6 per cent short of the volume stated.

The case coming on for hearing, the defendant appeared by its treasurer and filed a plea of guilty to the information, whereupon the court imposed a fine of \$10.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *June 25, 1910.*