

## United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 660, FOOD AND DRUGS ACT.

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#### ADULTERATION AND MISBRANDING OF LEMON FLAVORING.

On or about January 11, 1910, the Allan B. Wrisley Company, a corporation, Chicago, Ill., shipped from the State of Illinois to the State of Maine a consignment of a food product labeled "Union Brand Compound Lemon Flavoring. A compound prepared from oil of lemon grass, citral and diluted alcohol". Samples from this shipment were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture. As the findings of the analyst and report made thereon showed that the product was adulterated and misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said Allan B. Wrisley Company and the party from whom samples were procured were afforded opportunities for hearings. As it appeared after hearings held that said 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. On September 16, 1910, a criminal information was filed in the District Court of the United States for the Northern District of Illinois, charging the above shipment, and alleging that the product so shipped was adulterated in that a certain substance, to wit, an imitation lemon flavor, containing no oil of lemon, and containing a dye known as naphthol yellow S, had been substituted wholly or in part for the lemon extract, thereby reducing, altering, and injuriously affecting its quality and strength; in that a certain substance, to wit, an imitation lemon flavor, containing no oil of lemon, and containing a dye known as naphthol yellow S had been substituted in part for the article; in that the article was colored with naphthol yellow S in a manner whereby its inferiority was concealed; and alleging that the product was misbranded in that it was an imitation of another article, to wit, pure lemon extract; in that it was offered for sale under the distinctive

name of another article, to wit, pure lemon extract, whereas in truth and fact, it was an imitation lemon flavor, containing no oil of lemon and containing a dye known as naphthol yellow S; in that the product was invoiced and sold as "lemon extract," whereas it was not a lemon extract, but an imitation thereof, containing no oil of lemon, and containing a dye known as naphthol yellow S; in that the words "Compound Lemon Flavor" appeared on the labels of the bottles containing the article aforesaid in conspicuous type, while the qualifying words "A Compound prepared from oil of lemon grass, citral, and diluted alcohol" appeared in smaller type, and were so inconspicuously placed upon the labels as to deceive and mislead the purchaser into the belief that the product in question was a genuine lemon flavoring when in truth and in fact it was an imitation lemon flavoring.

On September 20, 1910, the defendant entered a plea of guilty to the above information. On the next day a hearing was held and on September 23, 1910, the court imposed a fine of \$100 and costs.

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

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *November 1, 1910.*