

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2248.

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

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### ADULTERATION AND MISBRANDING OF LEMON EXTRACT.

On July 24, 1912, the United States Attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Western Buyers Association, a corporation, Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 14, 1911, from the State of Missouri into the State of Oklahoma, of a quantity of so-called "Turpeneless Lemon Extract" which was adulterated and misbranded. The product was labeled: "Western Buyers Assoc. Kansas City W. B. A. Terpeneless Extract of Lemon. Artificially colored. Mfgd. for Western Buyers Assoc. Kans. City, Mo."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 15.6° C., 0.9529; alcohol (per cent by volume), 39.37; lemon oil, trace; citral (per cent by weight), 0.11; color, naphthol yellow S. Adulteration of the product was alleged in the information for the reason that a substance, to wit, a dilute terpeneless extract of lemon, had been mixed and packed therewith in such a manner as to reduce, lower, and injuriously affect the quality and strength of the product, and further in that a substance, to wit, a dilute terpeneless extract of lemon, had been substituted in part for genuine terpeneless lemon extract, thus damaging and injuriously affecting the product as food for human consumption, and further in that the product was highly colored with artificial coloring matter so as to give it the effect and color of genuine terpeneless lemon extract, whereby the inferiority of the product was concealed. Misbranding was alleged for the

reason that the product was offered for sale and sold as genuine terpeneless extract of lemon, and under the distinctive name of another article of food, that is to say, that the product was not a genuine terpeneless extract of lemon, but was a highly dilute preparation containing an inestimable amount of extract of lemon, and the label on the product was false and misleading because it conveyed the impression to and tended to deceive and mislead the purchaser into believing that it was a genuine terpeneless extract of lemon conforming to the standard for such article, when, in truth and in fact, it was a dilute extract of lemon, artificially colored, and containing an inestimable amount of extract of lemon, and also containing the substances as shown by the chemical analysis, as set forth above. Misbranding was alleged for the further reason that the product was misbranded so as to deceive and mislead the purchaser, being labeled as set forth above, thereby purporting to be a genuine terpeneless extract of lemon conforming to the standard of such article, when in truth and in fact it was a dilute terpeneless extract of lemon, artificially colored.

On November 14, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 25, 1913.*

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