

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2752.

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

U. S. v. Magnus, Mabee & Reynard. Plea of guilty. Fine, \$50.

ADULTERATION AND MISBRANDING OF OIL OF LAVENDER FLOWERS.

On February 28, 1913, 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 Magnus, Mabee & Reynard, a corporation, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on July 25, 1911, from the State of New York into the State of Pennsylvania, of a quantity of oil of lavender flowers which was adulterated and misbranded. The product was labeled: "Oil Lavender Flowers (Extra) Guaranty legend Serial No. 1245. Magnus & Lauer, New York, U. S. A."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Specific gravity at 25° C., 0.9059; refractive index at 20° C., 1.4670; refractive index after extraction with 5 per cent alcohol, 1.4670; optical rotation 100 millimeters 20° C., +2.77°; soluble in 3 volumes of 70 per cent alcohol; evaporation residue, 0.97 per cent; saponification number of evaporation residue, 1.9; esters as linalyl acetate, 9.10 per cent; glyceryl esters, absent; adulterated with large proportion of oil of spike; specific gravity high; optical rotation positive; esters low. Adulteration of the product was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, oil of lavender flowers, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia official at the time of shipment and investigation, in that the said Pharmacopœia provides that oil of lavender flowers is a volatile oil distilled from the fresh flowering tops

of *lavandula officinalis chaix* (Fam. Labiatæ), whereas the product contained a considerable amount of another oil which was not oil of lavender flowers as above defined, but was similar to spike oil. Misbranding was alleged for the reason that the label above set forth regarding the product and the ingredients and substances contained therein was false and misleading, in that said label would indicate that the product consisted of oil of lavender flowers, whereas, in truth and in fact, it consisted of a mixture of oil of lavender flowers and another oil which resembled spike oil.

On May 22, 1913, the defendant company entered a plea of guilty to the information, and on May 23 the court imposed a fine of \$50.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 18, 1913.*

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