

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2740.

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

U. S. v. Magnus, Mabee & Reynard. Plea of guilty. Fine, \$100.

ADULTERATION AND MISBRANDING OF OIL OF SWEET ORANGE AND OIL OF LEMON.

On November 28, 1911, the United States Attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the Circuit Court of the United States for said district an information against Magnus, Mabee & Reynard, a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act—

(1) On July 29, 1910, from the State of New York into the State of Virginia, of a quantity of oil of sweet orange which was adulterated and misbranded. The product was labeled: "1 lb. Net Weight Importers and Manufacturers Purity and Strength Oil Orange Sweet Hand-Pressed Magnus and Lauer Essential Oils, Vanilla Beans and Chemicals. New York, N. Y., U. S. A. Guaranty Legend Serial No. 1245." 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., 0.8527; optical rotation, original oil at 20° C., +89.9°; optical rotation, first 10 per cent distillate at 20° C., +91.8°; refractive index, original oil at 20° C., 1.4724; refractive index, first 10 per cent distillate at 20° C., 1.4710; refractive index, 10 per cent residue, 1.4806; citral by Fuchsine sulphite method (total aldehydes), 2.07 per cent; citral by Hiltner method, 0.91 per cent; pinene test, negative; ethyl alcohol, present; refractive index of aldehydes at 20° C., 1.4443. Adulteration of the product was alleged in the information for the reason that certain substances other than oil of sweet orange, the exact nature of such added substances

being unknown, had been mixed with said article so as to reduce, lower, and injuriously affect its quality and strength, and also certain substances other than oil of orange, to wit, among others, lemon terpenes, had been substituted in part for said article. Misbranding was alleged for the reason that the product was labeled as set forth above so as to deceive and mislead the purchaser or purchasers thereof, in that the package, container, and label of the article bore a statement regarding it and the ingredients and substances contained therein which was false and misleading, in that said label stated that the article was hand pressed oil of orange, whereas in fact it was not so but was a mixed product consisting in part of oil of orange and of other substances unknown.

(2) On February 21, 1911, from the State of New York into the State of Florida, of a quantity of oil of lemon which was adulterated and misbranded. The product was labeled: "Oil Lemon. H. P. Magnus & Lauer, New York, U. S. A. 8 oz. Net Weight, U. S. Serial No. 1245. Magnus, Mabee & Reynard N. Y. N. M. & R." Analysis of a sample of this product by said Bureau of Chemistry showed the following results: Specific gravity, 15.6°/15.6° C., 0.8560; refractive index, 20° C., 1.4740; optical rotation, 20° C., +60.3°; boiling point, 79° C.; alcohol (per cent by volume), 0.85; refractive index of 10 per cent residue by vacuum distillation, 1.4891; citral (Kleber method), 7.14 per cent; the sample contained alcohol and a substance foreign to lemon oil. Adulteration of the product was alleged in the information for the reason that a substance not wholly oil of lemon had been mixed and packed with it in such manner as to reduce and injuriously affect its quality and strength, and also certain substances other than oil of lemon, to wit, citral derived from lemon grass, had been substituted in part for the article. Misbranding was alleged for the reason that the product was labeled as set forth above, so as to deceive and mislead the purchaser or purchasers thereof, in that the container and label on the article bore a statement regarding it and the ingredients and substances contained therein which was false and misleading, in that said label stated that it was oil of lemon, whereas in fact it was not oil of lemon, but a mixture of oil of lemon and citral, derived from lemon grass.

On May 23, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$100.

C. F. MARVIN,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *October 13, 1913.*