

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 279, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF LEMONADE POWDER AND ORANGEADE POWDER.

On or about September 28, 1909, and August 15, 1909, respectively, Charles T. Morrissey, Chicago, Ill., doing business under the name and style of The Columbia Manufacturing Company, shipped from the State of Illinois to the State of Pennsylvania consignments of food products labeled, respectively: "Crescent Lemonade Powder Colored Delicious Cooling and Harmless;" and "Crescent Orangeade Powder Colored Delicious Cooling and Harmless." Samples from these shipments were procured and analyzed by the Bureau of Chemistry, United States Department of Agriculture, and as the findings of the analyst and report thereon indicated that the products were adulterated and misbranded within the meaning of the Food and Drugs Act, June 30, 1906, the Secretary of Agriculture afforded The Columbia Manufacturing Company, and the dealers from whom the samples were purchased, opportunities for hearings. As it appeared after hearings held that the shipments were 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 criminal informations were filed in the District Court of the United States for the Northern District of Illinois charging the above shipments and that the products were adulterated, in that citric acid had been substituted wholly or in part for the genuine article and had been mixed and packed with it in a manner to reduce, lower, and injuriously affect its quality and strength, and they had been artificially colored in a manner to conceal inferiority; and were misbranded, in that they were labeled "Crescent Lemonade Powder" and "Crescent Orangeade Powder," which

statements were false and misleading, in that they would lead a purchaser to believe that the products were obtained from lemons and oranges, respectively, whereas, in fact, the products were imitations, consisting almost entirely of citric acid, and artificially colored and flavored.

On March 18, 1910, the defendant entered a plea of guilty to each information and was fined \$10 in each case.

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

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *April 7, 1910.*

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