

**4897. Adulteration and misbranding of lemon peel flavor. U. S. \* \* \*  
v. Sally Gumpert et al. (S. Gumpert & Co.). Plea of guilty. Fine,  
\$25. (F. & D. No. 6911. I. S. No. 8663-h.)**

On March 3, 1916, the United States attorney for the Eastern 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 Sally Gumpert and Jacob Gumpert, trading as S. Gumpert & Co., Brooklyn, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about May 18, 1914, from the State of New York into the State of Georgia, of a quantity of lemon peel flavor which was adulterated and misbranded. The article was labeled: (On bottle) "Gumpert's Emulsion Lemon Peel Flavor Made from Selected Lemon Peels by a Process which Retains all the Delicious Aroma and Flavor of the Fresh Fruit. Adaptable to any Food Product Where Lemon Flavor is Desired, Ready for Immediate Use. Can be Diluted to any Extent Perfectly Soluble in Water or any Other Fluid. Will not Bake Out Will Not Freeze Out Will Not Boil Out Manufactured by S. Gumpert & Co. Bush Terminal Brooklyn, New York, U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Oil (per cent by weight)-----	20.0
Citral (per cent by weight)-----	3.5
Total solids (per cent)-----	52.0
Sugar (per cent)-----	25.0
Gum Arabic: Present.	

The substance is not "soluble in water or any other fluid" as claimed.

Adulteration of the article was alleged in the information for the reason that commercial citral had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted for lemon peel flavor made from selected lemon peels, which the article purported to be.

Misbranding was alleged for the reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Lemon Peel Flavor Made from Selected Lemon Peels by a Process which Retains all the Delicious Aroma and Flavor of the Fresh Fruit," were false and misleading in that they indicated to purchasers thereof that the article consisted wholly of lemon peel flavor made from selected lemon peels, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it consisted wholly of lemon peel flavor made from selected lemon peels, when, in truth and in fact, it did not, but did consist of, to wit, a mixture of commercial citral and lemon peel flavor. Misbranding was alleged for the further reason that the following statement regarding the article and the ingredients and substances contained therein appearing on the label aforesaid, to wit, "Perfectly soluble in water or any other fluid," was false and misleading in that it indicated to purchasers thereof that the article was perfectly soluble in water or any other fluid, and for the further reason that it was labeled as aforesaid so as to

deceive and mislead purchasers into the belief that it was perfectly soluble in water or any other fluid, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was a mixture of commercial citral and lemon peel flavor, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, lemon peel flavor.

On June 2, 1916, a plea of guilty was entered on behalf of the defendants, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*