

3048. Misbranding of mineral water. U. S. v. 400 Packages, or Carboys, of Stafford Mineral Spring Water * * *. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 5758. I. S. No. 7139-h. S. No. E-58.)

On June 18, 1914, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 packages, or carboys, each containing 5 gallons of a drug called Stafford Mineral Springs water, remaining unsold in the original unbroken packages at Atlanta, Ga., alleging that the product had been shipped on April 24, 1914, by Colburn, Morgan Co., Inc., operating as the Stafford Mineral Springs & Hotel Co., Ltd., Vosburg, Miss., and transported from the State of Mississippi into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The product was labeled: "Stafford Mineral Springs Water. A remedy for all Kidney Diseases, Bright's Disease, Diabetes, Dyspepsia, Rheumatism, Torpid Liver, Calculi, Insomnia, Nervous Prostration, Etc. Bo-Go-Ha-Ma (Water of Life) of the Indians. (Cut of red heart). Bottled only at the Springs near Vosburg, Jasper County, Miss. Directions, Drink freely of the Water as much as 10 or 12 glasses per day. Trade Mark Registered. By the Stafford Mineral Springs & Hotel Co. Ltd., Vosburg, Miss. Colburn, Morgan Co. Inc."

Misbranding of the product was alleged in the libel for the reason that the statements borne and contained on the labels of the packages, regarding the curative and therapeutic effects of said drug, to the effect that said Stafford Mineral Springs water was a remedy for "all Kidney Diseases, Bright's Disease, Diabetes, Dyspepsia, Rheumatism, Torpid Liver, Calculi, Insomnia, Nervous Prostration, Etc.," were false and fraudulent in that said drug, called Stafford Mineral Springs water, did not possess the said curative and therapeutic properties claimed and stated upon said labels.

On June 30, 1914, the said Colburn, Morgan Co., claimant, having admitted the allegation in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product, after the same had been properly relabeled, should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$700, in conformity with section 10 of the act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 12, 1915.*