

5502. Adulteration and misbranding of Garrod Spa lithia water. U. S. * * * v. Enno Sander Seltzer & Soda Co., a corporation. Plea of guilty. Fine, \$30 and costs. (F. & D. No. 8214. I. S. No. 21115-m.)

On May 5, 1917, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Enno Sander Seltzer & Soda Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about August 12, 1916, from the State of Missouri into the State of California, of a quantity of an article labeled in part, "Garrod Spa Lithia Water," which was adulterated and misbranded.

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

Ions	Mg per liter.
Silica (SiO ₂)	8.0
Sulphuric acid (SO ₄)	90.6
Bicarbonic acid (HCO ₃)	2,454.6
Chlorin (Cl)	896.5
Calcium (Ca)	16.0
Magnesium (Mg)	5.2
Potassium (K)	256.0
Sodium (Na)	966.0
Lithium (Li)	124.0
	4,816.9

Hypothetical combinations.

	Mg per liter.
Silica (SiO ₂)	8.0
Potassium chlorid (KCl)	488.2
Sodium chlorid (NaCl)	50.7
Sodium sulphate (Na ₂ SO ₄)	134.0
Sodium bicarbonate (NaHCO ₃)	3,281.4
Magnesium bicarbonate (Mg(HCO ₃) ₂)	31.3
Calcium bicarbonate (Ca(HCO ₃) ₂)	64.7
Silica (SiO ₂)	8.0
	4,816.9

	Mg per liter.				
	Bottle 1.	Bottle 2.	Bottle 3.	Bottle 4.	Bottle 5.
Ammonia, free (as nitrogen)	0.020	0.012
Ammonia, albuminoid (as nitrogen)	0.166	0.234
Nitrogen as nitrates	0.41	0.21
Nitrogen as nitrites	0.006	0.2	0.005	0.005	0.003

Organisms per cc. on agar after one day at 37° C., from 400 to 220,000.
Bacillus coli confirmed in 0.001 cc.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance; and for the further reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged in substance for the reason that certain statements appearing on the labels of the article falsely and fraudulently represented it as a cure for gout and rheumatism, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that, although the article was in package form, the quantity of the contents in said package was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On May 16, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$30 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*