

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2173.

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

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### ADULTERATION OF MINERAL WATER.

On June 26, 1912, the United States Attorney for the Southern 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 Henry Schierer, New York, N. Y., alleging shipment by him, in violation of the Food and Drugs Act, on January 5, 1911, from the State of New York into the State of New Jersey of a quantity of mineral water which was adulterated. The product was labeled in part as follows: "La Margarita en Loeches Water. A Natural Mineral Water."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed that there were present an average of 721 organisms per cubic centimeter for twelve bottles analyzed. Three bottles showed the presence of *B. coli* organisms in one one-hundredth of a cubic centimeter; eight bottles, in one-tenth of a cubic centimeter, eleven bottles, in 1 cubic centimeter and none in 10 cubic centimeters in one bottle, indicating that the product was polluted and consisted of a filthy or decomposed substance. Adulteration of the product was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal or vegetable substance, to wit, fecal matter.

On October 30, 1912, the defendant entered a plea of guilty to the information and the court suspended sentence.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 3, 1913.*

