

**5618. Adulteration and misbranding of "Baldwin's Cayuga Natural Medicated Spring Water." U. S. \* \* \* v. Lucius Baldwin and Fred O. Baldwin (Lucius Baldwin & Son). Pleas of guilty. Fine, \$100. (F. & D. No. 7025. I. S. Nos. 871-k, 2161-k, 1917-l.)**

On June 12, 1917, the United States attorney for the Northern 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 Lucius Baldwin and Fred O. Baldwin, trading as Lucius Baldwin & Son, Cayuga, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 8, 1915, September 7, 1915 and June 3, 1915, from the State of New York into the State of New Jersey, of quantities of an article labeled in part, "Baldwin's Cayuga Natural Medicated Spring Water," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Ions:	Milligrams per liter.
Silica (SiO <sub>2</sub> ) -----	4.0
Sulphuric acid (SO <sub>4</sub> ) -----	1,680.0
Bicarbonate acid (HCO <sub>3</sub> ) -----	244.0
Chlorin (Cl) -----	6.0
Calcium (Ca) -----	576.4
Magnesium (Mg) -----	114.8
Sodium (Na) by difference -----	21.4

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2,646.6

**Hypothetical combinations:**

Sodium chlorid (NaCl) -----	9.9
Sodium sulphate (Na <sub>2</sub> SO <sub>4</sub> ) -----	54.2
Magnesium sulphate (MgSO <sub>4</sub> ) -----	568.2
Calcium sulphate (CaSO <sub>4</sub> ) -----	1,686.2
Calcium bicarbonate (Ca(HCO <sub>3</sub> ) <sub>2</sub> ) -----	324.1
Silica (SiO <sub>2</sub> ) -----	4.0

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2,646.6

	Bottle No. 1.	Bottle No. 2.
Ammonia, free (N) -----	None.	Trace.
Ammonia, albuminoid (N) -----	0.050	0.050
Nitrogen as nitrites -----	.072	.056
Nitrogen as nitrates -----	None.	None.

Number of organisms per cc developing after 2 days on gelatin at 20° C ranged from 600 to 39,000 and on plain agar at 37° C from 190 to 4,600 in the 25 bottles examined. Lactose fermentation tubes after 2 days at 37° C showed gas developing in 5 cc quantities from 25 bottles, in 1 cc quantities from 23 bottles, in 0.1 cc quantities from 16 bottles, in 0.01 cc quantities from 5 bottles, in 0.001 cc quantity from 1 bottle. B. coli were isolated from each bottle.

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.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely

and fraudulently represented it as a cure for Bright's disease, diabetes, liver complaint, all kidney afflictions, dyspepsia and other disorders of the stomach, all affections of the bladder and urinary organs, rheumatism in all forms, jaundice, salt rheum, and all skin diseases, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was in package form, and the quantity of the contents of the packages was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On June 20, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*