

**5671. Adulteration of mineral water. U. S. \* \* \* v. 335 Crates of Mineral Water. Consent decree of condemnation, forfeiture, and destruction. Empty containers ordered released. (F. & D. No. 7620 I. S. Nos. 20680-1, 20681-1, 20682-1, 20683-1. S. No. W-98.)**

On August 5, 1916, the United States attorney for the District of Colorado, 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 335 crates of mineral water, consigned by The Crazy Well Water Co., Mineral Wells, Tex., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about June 14, 1916, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Bacteriological examination of a sample of the article by the Bureau of Chemistry of this department showed that the number of organisms per cubic centimeter developing at 20° C. ranged from 240 to 34,000 and at 37° from 60 to 1,500 in the 12 bottles examined. B. coli were found in 5 cc quantities from 12 bottles, in 1 cc quantities from 4 bottles, in 0.1 cc quantities from 5 bottles, and in 0.01 cc quantities from 1 bottle.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 18, 1916, the said The Crazy Well Water Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be emptied under the supervision of the United States marshal in such manner as to prevent the same from being used for human consumption, that the empty containers should be released to said claimant, and that the claimant should pay the costs of the proceedings.

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