

5757. Adulteration and misbranding of "Lithiated Mount Clemens Aperient Water." U. S. * * * v. John Meyer. Plea of guilty. Fine, \$50. (F. & D. No. 8086. I. S. Nos. 11223-l, 16403-k.)

On June 7, 1917, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Meyer, Mount Clemens, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 25, 1914, and June 3, 1915, from the State of Michigan into the States of Ohio and Illinois, respectively, of quantities of an article labeled in part, "Lithiated Mount Clemens Aperient 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.
Sulphuric acid (SO ₄)-----	28,346.9
Bicarbonic acid (HCO ₃)-----	337.3
Chlorin (Cl)-----	1,820.0
Bromin (Br)-----	12.0
Iodin (I)-----	.0
Oxygen (O) (calculated)-----	.6
Aluminum (Al) (sediment)-----	.6
Calcium (Ca)-----	353.0
Magnesium (Mg)-----	4,264.7
Sodium (Na) and Potassium (K)-----	6,405.8
Lithium (Li) (By spectroscope in raw water)-----	2.0
Sulphite (SO ₃) and Ammonium (NH ₄)-----	0.0
	41,542.9

HYPOTHETICAL COMBINATIONS.

Lithium chlorid (LiCl)-----	12.2
Sodium bromid (NaBr)-----	15.4
Sodium chlorid (NaCl)-----	2,983.7
Sodium sulphate (Na ₂ SO ₄)-----	16,148.0
Magnesium sulphate (MgSO ₄)-----	21,111.3
Calcium sulphate (CaSO ₄)-----	823.0
Calcium bicarbonate (Ca(HCO ₃) ₂)-----	448.1
Alumina (Al ₂ O ₃) (sediment)-----	1.2
	41,542.9

The organisms per cubic centimeter developing after 2 days on gelatin at 20° C. ranged from 120 to 37,000 and on plain agar at 37° C. from 10 to 3,000.

The mold "sporotrichum" was identified as present in large numbers in each of the ten bottles examined.

The large number of bacteria, together with the molds, indicate that this water consisted in part of a filthy, decomposed, vegetable substance.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, vegetable substance.

Misbranding of the article in each shipment was alleged for the reason that the statement appearing on the label, regarding the article and the ingredients

and substances contained therein, to wit: "Lithiated Mount Clemens Aperient Water. This constitutes a valuable, bitter water preparation of the justly famed Mt. Clemens mineral waters * * *," was false and misleading in that it falsely represented that the article was a Lithiated Mount Clemens Aperient Water, a preparation of the Mount Clemens mineral waters, which contained an appreciable amount of lithium and which contained a substantial amount of Mount Clemens mineral water; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a lithiated Mount Clemens aperient water, a preparation of the Mt. Clemens mineral waters, which contained an appreciable amount of lithium and which contained a substantial amount of Mount Clemens mineral water, whereas, in truth and in fact, it was not, but was a mixture composed in whole or in part of city tap water and added Epsom and Glauber salts, and which contained an inappreciable amount of lithium and little or no Mount Clemens mineral water.

It was further alleged in substance that the article in each shipment was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for indigestion, dyspepsia, catarrhal affections of the stomach and bowels, impaired metabolism, jaundice, gall stones, biliousness, subacute and chronic cases of rheumatism, rheumatic gout, renal calculi composed of uric acid compounds, and as a treatment for stomach, liver, kidney, and bladder troubles, piles, pyelitis, oxaluria, transitory and alimentary glycosuria, and as a specific remedy for troubles arising from functional disturbances of the liver, and as a preventive of the formation of calculi of uric acid compounds in the kidneys, and effective when such compounds are present to render them smaller, and to expel them, when, in truth and in fact, it was not.

On August 22, 1917, the defendant entered a plea guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*