

3959. Misbranding of "White Stone Lithia Water." U. S. v. 12 Carboys of "White Stone Lithia Water." Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 5841. I. S. No. 8695-h. S. No. E-77.)

On August 6, 1914, the United States attorney for the Southern District of Georgia, 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 12 carboys, each containing 5 gallons of "White Stone Lithia Water," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the product had been shipped on or about May 13, 1914, and transported from the State of South Carolina into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The product was labeled: "White Stone Lithia Water The only Lithia Springs on the Continent with Natural Pressure. Cures all Liver, Kidney, and Bladder Troubles, Rheumatism, Gout, and all Blood Diseases. Bottled at Springs by White Stone Lithia Water Co., White Stone Springs, S. C., White Stone Lithia Water Will Cure Any Case of Indigestion in Ten Minutes."

Misbranding of the product was alleged in the libel for the reason that the same was not a lithia water as stated upon said brands and labels, and said water contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed by the statements appearing upon said labels, to wit, "Cures all Liver, Kidney, and Bladder Troubles, Rheumatism, Gout, and all Blood Diseases," and "White Stone Lithia Water Will Cure Any Case of Indigestion in Ten Minutes."

On March 5, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, "in terms of law."

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *July 1, 1915.*