

4726. Misbranding of "Chippewa Natural Spring Water." U. S. * * * v. 285 Cases * * * of "Chippewa Natural Spring Water." Default decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7189. I. S. No. 10369-1. S. No. C-427.)

On January 28, 1916, the United States attorney for the District of Minnesota, 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 285 cases, each containing 12 bottles, of "Chippewa Natural Spring Water," declared to contain one-half gallon, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on January 5 and January 10, 1916, by the Chippewa Springs Corporation, Chippewa Falls, Wis., and transported from the State of Wisconsin into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles containing the article were labeled: (Principal label) "Chippewa Natural Spring Water The World's Famous Table Water. A Pure Water and remedial in its Purity Analysis Potassium Sulphate 0.08 Sodium Sulphate 0.09 Sodium Chloride 0.07 Sodium Carbonate 0.11 Sodium Phosphate 0.02 Sodium Borate Traces Iron Carbonate 0.03 Calcium Carbonate 0.80 Magnesium Carbonate 0.44 Alumina 0.01 Silica 0.42 Organic Matter None Total 2.07 grains per gal." (Cut of Indian head.) "'Chippewa' Chief of Table Waters Beneficial and Remedial in cases of Typhoid Fever, Kidney Diseases, Rheumatism, Gout, Constipation, Indigestion, Headache, etc. Bottled and Sealed at the Springs under the highest sanitary conditions. 'This is the Purest and Softest Natural Water that I have ever examined Its Softness and Purity are extraordinary' Signed, Chas. W. Drew Ph.B. M. D. Chemist City of Minneapolis" (Cuts of bows and arrows.) "Chippewa Springs Corporation Chippewa Falls, Wis. U. S. A. Contents One Half Gallon." (Neck label) "Bottled and sealed at the Spring Unbroken seal guarantees purity C S Co. Highest award over all waters for purity and excellence awarded Chippewa, St. Louis 1904, Chippewa The Purest Natural Water The \$6,000.00 Court Challenge open to the World It has been proven that Chippewa is the only Natural Water that will stand a chemical test for purity. A remarkable test was recently given in a claim for damages before Judge Eastman of Chicago—growing out of the substitution of Waukesha Water, labeled and sold as 'Chippewa' by a water Company in Chicago. The case rested on a test given by the plaintiff (Chippewa Spring Co.) in Court. 'Chippewa' under a chemical test, proved to be pure, the plaintiff challenging the defendants to produce any other natural water that would stand the test, and offering to waive all claim for damages (\$6,000) if such water could be produced. Many well known waters were thereupon presented by the defendants and tested in the District Court, none of which would stand the test, the court finally awarded judgment in favor of the Chippewa Springs Co. The Purest and Softest Natural Water."

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects thereof, appearing on the printed labels attached to and accompanying each bottle: "Chippewa Natural Spring Water * * * A Pure Water and remedial in its Purity, * * * Beneficial and Remedial in cases of Typhoid Fever, Kidney Diseases, Rheumatism, Gout, Constipation, Indigestion, Headache, etc., * * * Chippewa Springs Corporation Chippewa Falls, Wis., U. S. A. Contents One Half Gallon," were feloniously and fraudulently made with the intention to create the impression that the article was efficacious for the treatment of the diseases mentioned, whereas, it contained no ingredient or combination of in-

gredients capable of producing the therapeutic effects claimed or labeled as herein quoted.

On May 22, 1916, 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 redelivered to the Chippewa Springs Co., Minneapolis, Minn., upon payment of all the costs of the proceedings and the execution of bond in the sum of \$50, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*