

ment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11539. Adulteration of shell eggs. U. S. v. 10 Cases, 17 Cases, and 365 Cases of Shell Eggs. Default decrees of condemnation and forfeiture entered with respect to a portion of the product. Consent decree of condemnation and forfeiture entered with respect to the remainder. Product ordered destroyed. (F. & D. Nos. 17054, 17055, 17056. I. S. Nos. 74-v, 75-v, 251-v. S. No. E-4246.)

On December 22, 1922, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 392 cases of shell eggs, at New York, N. Y., alleging that the article had been shipped by the Bell-Jones Co., Davenport, Iowa, November 17, 1922, and transported from the State of Iowa into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Bell Jones Co. Cold Storage Recd. May 6-22."

Adulteration of the article was alleged in the libels for the reason that ammonia had been mixed and packed with and substituted in whole or in part for the said article.

On March 13, 1923, the Bell-Jones Co., Davenport, Iowa, having appeared as claimant for 365 cases of the product and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 365 cases of the product be destroyed by the United States marshal and that the said claimant pay the costs of the proceedings. On May 16, 1923, no claimant having appeared for the remainder of the product, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the said product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11540. Misbranding of Blacko kidney tablets. U. S. v. Blacko Medicine Co., a Corporation. Plea of nolo contendere. Fine, \$10. (F. & D. No. 12812. I. S. No. 7306-r.)

On January 26, 1922, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Blacko Medicine Co., a corporation, Charleston, W. Va., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about June 18, 1919, from the State of West Virginia into the State of Kentucky, of a quantity of Blacko kidney tablets which were misbranded. The article was labeled in part: "Blacko Kidney Tablets * * * The Blacko Medicine Co. Charleston, W. Va."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets were composed essentially of hexamethylenamine, methylene blue, boric acid, potassium nitrate, potassium bicarbonate, and plant extractive material, flavored with methyl salicylate.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, regarding the therapeutic and curative effects of the said article, appearing on the labels of the bottles and cartons containing the same and in the accompanying circular, falsely and fraudulently represented the said article to be effective as a treatment, preventive, remedy, and cure for kidney and bladder troubles, weak kidneys, urinary troubles, swollen joints, inflammation of the bladder, sediment in the urine, sudden stoppage or retention of urine, puffiness under the eyes, voracious appetite, gallstone, swollen ankles, frequent calls, dribbling, irregular heart action, pale skin, pains when urinating, and enlargements of the prostate glands in old men, when, in truth and in fact, it was not.

On May 25, 1923, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

HOWARD M. GORE, *Acting Secretary of Agriculture.*