

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects of the said article, appearing in the labeling, (bottle label) "Cure * * * For Cramps, Colic and Diarrhoea * * * Indigestion * * * Horse Colic * * *," (carton) "Cure * * * for Indigestion, Diarrhoea, Cramps, Cramp Colic, Neuralgia, Headache, Toothache, Sore Throat, etc. * * * Cholera Morbus * * * Rheumatism and Pains generally * * * Sprains or Frosted Feet," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 11, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12778. Adulteration of canned salmon. U. S. v. 1,280 Cases of Salmon. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17760. I. S. No. 11487-v. S. No. W-1413.)

On September 5, 1923, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 1,280 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Auk Bay Salmon Canning Co., from Auk Bay, Alaska, August 16, 1923, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On April 9, 1924, the Auk Bay Salmon Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be segregated under the supervision of this department, the good portion to be released and the remainder disposed of in accordance with law.

HOWARD M. GORE, *Secretary of Agriculture.*

12779. Misbranding of Foley kidney pills. U. S. v. 2-11/12 Dozen Large Bottles, et al., of Foley Kidney Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 18041, 18042, 18043. S. Nos. E-4578, E-4579, E-4580.)

On November 16, 1923, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 8 $\frac{3}{4}$ dozen large bottles and 16 $\frac{1}{2}$ dozen small bottles of Foley kidney pills, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Foley & Co., from Chicago, Ill., in various consignments, namely, on or about April 19, September 17, and October 4, 1923, respectively, and transported from the State of Illinois into the State of New York and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of pills containing potassium nitrate, methylene blue, hexamethylene tetramine, and material derived from plant sources, including resin and volatile oil similar to juniper oil, coated with sugar and calcium carbonate.

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effect of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label, carton, and circular) "Kidney Pills for Irritation;" (circular, "Irritations") "of Kidneys and Bladder, for Backache and Rheumatism due to Kidney Disorders;" (circular) "kidneys * * * weakened by disease * * * inflamed and congested * * * In addition to taking Foley Kidney Pills, we offer a few simple, but practical suggestions, for the benefit of those having kidney and bladder troubles. 1st—Water should be drunk freely * * * 2nd—The bowels must be kept active * * * 3rd—The diet is of great importance;" (circular for small size only) "Satisfaction guaranteed."