

14166. Misbranding of Foley kidney pills. U. S. v. 16 Dozen Small Size Bottles, et al., of Foley Kidney Pills. Default order of destruction entered. (F. & D. No. 18048. I. S. Nos. 19429-v, 19430-v. S. No. C-4178.)

On November 14, 1923, the United States attorney for the Western District of Missouri, 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 16 dozen small-size bottles and 1½ dozen large-size bottles, of Foley kidney pills, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by Foley & Co., from Chicago, Ill., on or about October 26, 1923, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle label, both sizes) "Kidney Pills For Irritation of Kidneys and Bladder," (circular, both sizes) "for Backache and Rheumatism due to Kidney Disorders * * * 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, large size only) "satisfaction guaranteed."

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 substance in the libel for the reason that the above quoted statements borne on the labels regarding the curative and therapeutic effects of the said article, were false and fraudulent, in that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On December 3, 1924, no claimant having appeared for the property, an order was entered by the court for the destruction of the product.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14167. Misbranding of Plough's prescription C-2223. U. S. v. 87 Bottles, et al., of Plough's Prescription C-2223. Default order of destruction entered. (F. & D. Nos. 17364, 17365. I. S. Nos. 5182-v, 5183-v, 5185-v, 5186-v. S. Nos. C-3930, C-3931, C-3932, C-3933.)

On March 16, 1923, the United States attorney for the Western District of Missouri, 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 129 bottles, fifty cent size, and 55 bottles, dollar size, of Plough's prescription C-2223, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Plough Chemical Co., from Memphis, Tenn., in various consignments between the dates of August 16, 1922, and January 27, 1923, and transported from the State of Tennessee into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle label) "A Blood Purifier Recommended For Treatment Of Rheumatism * * * In severe cases, take * * * until relieved," (carton label, fifty cent size) "A Blood Purifier Recommended for disorders caused by impure blood as Eczema, Chronic Sores and constitutional blood diseases. Rheumatism * * * Sciatica, Lumbago, Lame Back, Uric and Lactic Acid Conditions," (carton label, dollar size) "Rheumatism * * * Sciatica, Lumbago, Lame Back, Uric and Lactic Acid Conditions, Blood Disorders Eczema, Chronic Sores and similar affections arising from bad blood," (circular, both sizes) "A Reliable Blood Purifier A Treatment for Rheumatism * * * Sciatica, Lumbago, Lame Back, Blood Disorders, Eczema, Chronic Sores and Similar diseases Caused by Bad Blood * * * In the treatment of Scrofula, Rheumatism, certain Catarrhal Conditions, Hereditary Blood Taints, Diseases of the Bones, Ulcerous Sores, Prescription C-2223 has been recommended and used for many years. Helpless, unhappy persons who had given up all hope of relief, have found in this Blood Purifier a means of relief. Men, women, and even children, whose energy has been sapped and their life almost wrecked, who were troubled with festering sores or tortured with rheumatic pains, have been relieved from the grip of these diseases, after the continued use of or treatment with Prescription C-2223 * * * for any trouble due to poisoned or tainted blood, get you a bottle of Prescription C-2223 * * *