

been shipped by the Foley Co., Chicago, Ill., on or about October 12, 1923, and transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bottle, 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."

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 above quoted statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 20, 1925, 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.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13347. Adulteration of canned red, sour, pitted cherries. U. S. v. 225 Cases of Red, Sour, Pitted Cherries. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19083. I. S. No. 8992-v. S. No. C-4037.)

On October 23, 1924, the United States attorney for the Eastern District of Kentucky, 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 225 cases of red, sour, pitted cherries, remaining in the original packages at Lexington, Ky., consigned by Lyndonville Canning Co., on or about August 15, 1924, alleging that the article had been shipped from Lyndonville, N. Y., and transported from the State of New York into the State of Kentucky, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Lyndonville Brand Red Sour Pitted Cherries * * * Lyndonville Canning Company, Inc. Lyndonville, N. Y."

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

On May 9, 1925, the Lyndonville Canning Co., Inc., Lyndonville, N. Y., having appeared as claimant for the property, judgment of condemnation and forfeiture 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 it not be sold or disposed of until separated, repacked, and recanned.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13348. Adulteration and misbranding of bleached oats. U. S. v. 250 Sacks of Sulphur Bleached Oats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18786. I. S. No. 18813-v. S. No. C-4416.)

On or about June 21, 1924, the United States attorney for the Western District of Tennessee, 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 250 sacks of bleached oats, remaining in the original packages at Jackson, Tenn., alleging that the article had been shipped by Thistlewood & Co., from Cairo, Ill., on or about June 7, 1924, and transported from the State of Illinois into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Crescent Brand Sample Oats Sulphur Bleached."

Adulteration of the article was alleged in the libel for the reason that wild oats, rye, traces of corn and barley, shriveled and unthreshed wheat, weed