

of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight or measure.

On March 29, 1924, The Independence Coffee and Spice Co., Denver, Colo., having appeared as claimant for the property 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 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 \$500, in conformity with section 10 of the act.

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

12336. Adulteration of Brazil nuts. U. S. v. 4½ Bags of Brazil Nuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18266. I. S. No. 5617-v. S. No. C-4248.)

On January 10, 1924, 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 praying the seizure and condemnation of 4½ bags of Brazil nuts remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by the J. B. Inderrieden Co. from Buffalo, N. Y., June 27, 1923, and transported from the State of New York into the State of Minnesota, 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 in whole or in part of filthy and decomposed nuts.

On March 26, 1924, 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, *Acting Secretary of Agriculture.*

12337. Misbranding of Foley kidney pills. U. S. v. 8½ Dozen Bottles of Foley Kidney Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18052. I. S. No. 19917-v. S. No. C-4168.)

On November 15, 1923, 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 praying the seizure and condemnation of 8½ dozen bottles of Foley kidney pills at Minneapolis, Minn., alleging that the article had been shipped by Foley & Co., from Chicago, Ill., on or about September 13, 1923, and transported from the State of Illinois into the State of Minnesota, 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 the pills contained potassium nitrate, methylene blue, hexamethylene tetramine, and plant material, including resin and juniper oil.

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, (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. * * * Satisfaction Guaranteed," were false and fraudulent since the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On March 27, 1924, 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, *Acting Secretary of Agriculture.*

12338. Adulteration and misbranding of tankage. U. S. v. 167 Sacks of Tankage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18448. I. S. No. 17711-v. S. No. C-4309.)

On March 6, 1924, the United States attorney for the Northern District of Iowa, 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 167 sacks of tankage at Dubuque, Iowa, alleging that the