

**DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS****DRUGS FOR HUMAN USE\***

**3656. Alleged misbranding of Oracort. U. S. v. Herman Edward Maurry (H. E. Maurry Biological Co.).** Plea of not guilty. Tried to the court and jury. Verdict of not guilty. (F. D. C. No. 30014. Sample Nos. 71400-K, 72461-K.)

**INFORMATION FILED:** March 1, 1951, Southern District of California, against Herman Edward Maurry, trading as the H. E. Maurry Biological Co., Los Angeles, Calif.

**ALLEGED SHIPMENT:** On or about December 20, 1949, and within the period from on or about September 19, 1949, to on or about December 30, 1949, from the State of California into the States of Arizona and Indiana.

**NATURE OF CHARGE:** Alleged misbranding, Section 502 (a), certain statements in accompanying blotters entitled "Oracort," pamphlets entitled "Oracort Biologically Standardized Oral Suprarenal Cortex Hormones," and a mimeographed sheet dated November 18, 1949, were false and misleading. These statements represented, suggested, and created the impression that the article would be efficacious in the treatment of arthritis and that it contained a therapeutically significant amount of cortisone, whereas the article was not effective in the treatment of arthritis, and it did not contain a therapeutically significant amount of cortisone.

**DISPOSITION:** A plea of not guilty having been entered, the matter came on for trial before the court and jury on December 18, 1951. On December 20, 1951, the jury rendered a verdict of not guilty.

**3657. Misbranding of Murtex. U. S. v. 4,500 Cartons \* \* \*. (F. D. C. No. 31148. Sample No. 9092-L.)**

**LABEL FILED:** May 25, 1951, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about August 1, 1950, from New York, N. Y.

**PRODUCT:** 4,500 cartons, each containing 1 bottle of *Murtex*, at Chicago, Ill., in possession of the Martax Botanical Corp.

**RESULTS OF INVESTIGATION:** The drug was shipped in a 50-gallon drum and was bottled and labeled for the Martax Botanical Corp. after shipment in interstate commerce. Each bottle was packed in a carton, together with a leaflet entitled "Murtex."

**LABEL, IN PART:** (Carton) "Murtex A Diuretic and Stimulant to the Kidneys. \* \* \* (One fluid Oz.) Alcohol 40% By Volume Contains Fluid Extracts of: Buchu Cimicifuga Collinsonia Guaiacum Also Contains: 60 Mgs. Vitamin B<sub>1</sub> (Thiamine HCL) to each 30 cc."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the leaflets were false and misleading since these statements represented and suggested that the article was effective to eliminate from the body waste substances that cause the pain of arthritis and rheumatism, loss of energy and appetite, and simple nervousness and sleeplessness, whereas the article was not effective for such purposes. The article was misbranded while held for sale after shipment in interstate commerce.

\*See also Nos. 3650, 3652, 3653, 3655.