

On November 8, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 69 bottles of Clay's rheumatic medicine, remaining in the original unbroken packages at Charleston, S. C., alleging that the article had been shipped by E. J. Kieffer, from Savannah, Ga., September 4, 1930, and had been transported from the State of Georgia into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of colchicine (4 milligrams per 100 milliliters), potassium iodide, a nitrite, and extracts from plant drugs.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, borne on the bottle and carton labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Rheumatic Medicine formerly known as Clay's Sure Cure;" (carton) "Rheumatic Medicine is recommended in the treatment of Scrofula, Ulcers, Old Sores, Rheumatism, Gout, Enlarged Glands and wherever a Good Blood Purifier is required * * * This is a Valuable Medicine for all sufferers from Gout and Rheumatism in all its forms."

On June 25, 1931, counsel for the intervener 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 destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18493. Adulteration and misbranding of Pyros. U. S. v. 3 Dozen Packages of Pyros. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26249. I. S. No. 12458. S. No. 4441.)

Examination of a drug product, known as Pyros, from the shipment herein described showed that the carton and bottle labels bore statements representing that the article possessed curative and therapeutic properties which it did not possess. The labeling also represented that the article was antiseptic, whereas bacteriological examination of a sample showed it was not antiseptic.

On April 23, 1931, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 3 dozen packages of Pyros, remaining in the original unbroken packages at Spokane, Wash., alleging that the article had been shipped by the Pyros Co., from Denver, Colo., on or about January 5, 1931, and had been transported from the State of Colorado into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium chloride, zinc sulphate, alcohol (0.5 per cent), a trace of glycerin, and water. Bacteriological examination showed that the article was neither antiseptic nor germicidal.

It was alleged in the libel that the article was adulterated in that it was sold under the following standard of strength, (carton) "Antiseptic," (circular) "Pyros is an ideal antiseptic," whereas the strength of the article fell below such professed standard, since it was not antiseptic.

Misbranding was alleged for the reason that the following statements appearing on the carton and in the circular, were false and misleading when applied to an article which was not antiseptic: (Carton) "A perfect Antiseptic;" (circular) "The Penetrative Antiseptic * * * Pyros is an ideal antiseptic mouth wash, for it has a definite selective action on disease germs in the mouth. * * * The definite and selective germicidal action of Pyros stops the bacterial acid detrition in the first stages of tooth decay * * * Pyros is a combination of simple ingredients resulting in a product of definite value as an * * * antiseptic * * * Its penetrating and bactericidal action is then more pronounced * * * You can 'feel' its positive and penetrating antiseptic properties." Misbranding was alleged for the further reason that the following statements appearing on the carton and bottle labels and in the accompanying circulars, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Pyros for Pyorrhea * * * A remedy for tender, bleeding, spongy, or receding gums. * * * for preventing decay of the teeth, keeping the gums firm and healthy, * * * Give solution time

to penetrate gums and affected parts. * * * A remedy for sore, loose, tender or ulcerated gums and teeth, and pyorrhea infections generally;" (bottle) "As An Aid In treatment of infectious mouth conditions, * * * and attendant tooth decay. Sore, tender, ulcerated gums, and general oral infections;" (heading of portion of circulars) "For Pyorrhea;" (all circulars) "Good Health Depends on Mouth Health. The mouth is the one main entrance whereby disease germs gain entrance to the body. In the mouth disease germs multiply, infect the nasal passages or throat and, sooner or later, the entire system. Nature (the perfect physician) installed in the mouth the simple machinery necessary for the warding off of disease, viz: clean saliva, abundant blood supply and properly adjusted teeth. Therefore, it can be readily seen that a remedy which causes the mouth to properly function is the one that assists nature in warding off disease. The present day customs, diet and mental habits do not permit the mouth to function perfectly as in the days of savagery, when the mouth received exercise from the eating of hard, coarse food, and tooth decay and gum disease were unknown. Pyros Makes Healthy Mouths * * * Pyros Penetrates. Pyros has a peculiar penetrating action, so that it even attacks deep, underlying, inflamed conditions. Pyros makes clean, healthy saliva, nature's mouth wash * * * In diseased conditions of the mouth Pyros should be used as near full strength as possible. For Pyorrhea—Take one teaspoonful in mouth and let it penetrate the affected parts * * * If the upper teeth or gums are affected, hold head downward or sideways. * * * For Trench Mouth (Vincent's Angina) or other acute inflammations of the mouth where pain is present * * * For Ulcerative Gums. * * * Tender Gums. * * * Bleeding Gums. * * * Spongy Gums. Where the gums are soft, flabby and bleed easily use one part Pyros to four of water * * * Turgid Gums. Where gums are congested and swollen use Pyros the same as for spongy * * * Tartar. When annoyed by excessive tartar on the teeth use Pyros full strength for a few days, brushing the teeth after each treatment. When most of the tartar is gone, go to a dentist and have the teeth thoroughly cleaned. * * * After Extraction. There is more danger of alarming conditions after extraction of teeth than most people realize. Pyros * * * prevents the development of infectious conditions * * * By its daily use you can guard the entire system against contagion and disease. The teeth remain clean, the gums firm and natural in color. Finish with a single gargle and you will have a healthy, clean throat. * * * It will save you endless dental and medical expense and many anxious hours. It is an excellent preventive. * * * How to Prevent Decay of the Teeth at Home. Pyros actually prevents and arrests decay of the teeth. The definite and selective germicidal action of Pyros stops the bacterial acid detrition in the first stages of tooth decay. * * * take Pyros one part to water four parts and brush this solution into the cheeks, gums and teeth for three minutes. If this is done morning and evening you will keep your teeth free from cavities or decay. * * * Pyros is of value in checking ruptured arteries and restoring proper circulation."

On May 20, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18494. Misbranding of Devore laxative cold and grippe tablets. U. S. v. 30 Packages of Devore Laxative Cold and Grippe Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25903. I. S. No. 12856. S. No. 4122.)

Examination of a drug product, known as Devore laxative cold and grippe tablets, from the shipment herein described having shown that the carton label bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On February 14, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 30 packages of Devore laxative cold and grippe tablets, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Devore Manufacturing Co., from Columbus, Ohio, on or about December 12, 1929, and had been transported from the State of Ohio into the State of California, and charging misbranding in violation of the food and drugs act as amended.