

**19869. Misbranding of Jo-Vex. U. S. v. 3 Dozen Bottles of Jo-Vex. Default decree of condemnation and destruction. (F. & D. No. 27997. I. S. No. 43327. S. No. 6033.)**

Examination of the drug product Jo-Vex, involved in this action, showed that the article would not produce certain curative and therapeutic effects claimed for it on the carton and bottle labels and in an accompanying circular. The article also was represented to be more powerful as a germicide than carbolic acid, whereas it was not.

On April 11, 1932, the United States attorney for the Western District of Pennsylvania, 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 three dozen bottles of the said Jo-Vex, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about November 19, 1931, by the Jo-Vex Chemical Products Co., from St. Louis, Mo., to Pittsburgh, Pa., 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 essentially of calcium chloride, a compound containing available chlorine (0.07 per cent), and water.

It was alleged in the libel that the article was misbranded in that the following statements, appearing on the carton and bottle label and in a circular, were false and misleading: (Carton and bottle label) "Several times more powerful than Carbolic Acid, Bichloride of Mercury or Dakin's Solution (normal);" (circular) "Over 4 times more powerful than pure Carbolic Acid as a Germicide Phenol Coefficient 4.4 (Hygienic Lab. Method) \* \* \*." Misbranding was alleged for the further reason that the following statements regarding its curative and therapeutic effects, appearing in the labeling, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Jo-Vex embodies every principle and feature you would require of an agent par excellence for all local infections, very notably in stubborn and deep-seated pus conditions such as prevail in Pyorrhea. \* \* \* Use a 1 to 10 solution daily as a preventive for sore throat, tonsillitis, pyorrhea and other diseases of the mouth. \* \* \* For nasal catarrh \* \* \* For \* \* \* Carbuncles, Felons, \* \* \* Eczema, Itch, \* \* \* Hives, Tetter \* \* \* Pyorrhea Jo-Vex is a proven treatment for Pyorrhea, tender or bleeding gums, trench mouth and kindred conditions of the oral cavity;" (bottle label) "Pyorrhea Jo-Vex is a proven treatment for Pyorrhea, tender or bleeding gums, trench mouth and kindred conditions of the oral cavity. \* \* \* For \* \* \* Carbuncles, Felons, \* \* \* Eczema, Itch, \* \* \* Hives, Tetter, \* \* \*. Use a 1 to 10 solution daily as a preventive for sore throat, tonsillitis, pyorrhea and other diseases of the mouth. \* \* \* Jo-Vex guards the gates to the city of health. \* \* \* For nasal catarrh;" (circular) "A proven treatment for Pyorrhea, tender or bleeding gums, trench mouth and kindred conditions of the oral cavity. \* \* \* Where Jo-Vex enters, disease germs cannot live. \* \* \* Jo-Vex is used and recommended by leading Dentists and Specialists in the prevention and treatment of Pyorrhea, loose teeth, bleeding, spongy and sore gums, trench mouth, etc. \* \* \* Pyorrhea Pyorrhea is probably predisposed by the foods of civilization. Soft and refined foods provide inadequate exercise to the gums. The muscles and tissues shrink and weaken when unused. Perhaps it is impractical to return to the hard, coarse and bulky foods of the pioneer forefathers. Offsetting measures, then, must be substituted to strengthen the gums. This may be accomplished by vigorously massaging the gums with the forefinger two or three minutes each day, combined with the daily use of Jo-Vex. This simple method will promote circulation, make the gums hard and firm and keep the mouth free of destructive germs. When the gum tissues are soft and unhealthy they are more susceptible to mechanical irritations set up by deposits of tartar, ill-fitting crowns, faulty alignment of teeth, rough edges of fillings, etc. The gums become inflamed and pus forms. The constant presence of pus in and about the necks of the teeth causes the tooth supporting structure to rot or decay. The teeth, being deprived of support, eventually fall out unless the pus and germs are eliminated in time. Meanwhile the pus from the infected areas passes into the stomach and is taken up by the blood, thereby poisoning the entire system and frequently causing stomach disorders, intestinal and kidney trouble, neuritis, rheumatism, sore and stiff joints, etc. Dental authorities estimate that over fifty percent of the adult population are afflicted with Pyorrhea in one stage or another, and that half of

them are unaware of their condition and the far-reaching damage frequently resulting. Unless halted, Pyorrhea ends in false teeth and broken health. Faithful adherence to the instructions herein given, which are simple and easy to follow, may be relied upon to prevent Pyorrhea or halt its ravages where already established. **How To Use Jo-Vex In Pyorrhea** For the prevention of pyorrhea and to keep the gums and mouth in pure and healthy condition, use Jo-Vex daily as a mouth wash, one teaspoonful to a glass  $\frac{1}{4}$  full of water. Or, put a few drops pure on the tooth brush and apply to the teeth and gums after the usual cleaning with tooth paste or powder. In established pyorrhea, where the teeth are loose or have begun to loosen or where the gums are sore, use pure Jo-Vex on the tooth brush twice daily, resaturating the brush several times and applying it thoroughly to the teeth and gums. A more effective way, which should be used in severe cases, is to hold pure Jo-Vex (or a very strong solution) in the mouth for about one minute twice daily. Do not swallow it. About four teaspoonfuls sufficiently fills the mouth. Roll the head slightly to bring the solution in contact with the various gum regions, giving special attention to any known areas of severe conditions. Immediately after treatment massage the gums with the forefinger for one or two minutes. The best time for treatment is immediately after cleaning the teeth with tooth paste or powder, which should be practiced two or three times per day, especially upon arising and retiring. Jo-Vex does not take the place of tooth paste or powder, which latter functions to keep the teeth clean. Conversely, no paste or powder can take the place of Jo-Vex. The taste of Jo-Vex is rarely objectionable when using it on the tooth brush or as a mouth wash in weak solution. However, when held in the mouth pure, or in strong solution, the taste may be objectionable at first but the mouth soon becomes accustomed to the sensation. In any event, the mouth feels pure and wholesome a few minutes after using. Perfume and flavoring merely camouflage the pollution. Jo-Vex does what it is intended to do: kill the germs, purify and promote healing. To establish and maintain a healthy condition, it is necessary to keep the teeth free of tartar deposits which cause irritation to the gums. Furthermore, it is frequently found that mechanical corrections are needed to relieve irritation from this source. It is therefore recommended that after using Jo-Vex faithfully for two or three weeks, a good dentist be visited for the removal of tartar deposits and any needed mechanical corrections. In severe cases of long standing, it is sometimes found that the supporting structure under a given tooth has been too far destroyed to furnish adequate support for holding it firm and tight. Such a tooth, which may be marked by its failure to respond to several weeks of faithful treatment, or by X-Ray photographs, should be extracted. The remaining areas may be returned to and maintained in a healthy and sound condition by following the instructions herein given. After the mouth has been returned to a healthy condition, through the use of Jo-Vex, its use should be continued as a daily habit, either on the tooth brush or as a mouth wash. Laboratory tests, combined with the experience of thousands of dentists and laymen, prove Jo-Vex to be the most effective and reliable agent known in the treatment of gum diseases, and that it is absolutely non-injurious to the healthy tissues of the mouth, the tooth structure or to the fillings, crowns, bridges, etc. Use Jo-Vex faithfully according to the direction given and you will be highly gratified with results. \* \* \* Sore Throat, Tonsilitis, \* \* \* A 1 to 10 solution slushed in the mouth and gargled in the throat once or twice daily will arrest the germs in the beginning, \* \* \* and promote the health of the teeth and gums. Where sore throat or tonsils already exists gargle a 1 to 5 solution every few hours. \* \* \* For nasal catarrh, \* \* \* Open Sores \* \* \* Boils, Carbuncles, Felons, \* \* \* Eczema, Itch, \* \* \* Hives, Tetter, \* \* \* For piles, rectal inflammation \* \* \* use 1 tablespoonful in a quart of tepid water. \* \* \* 'My first case demonstrated beyond a doubt its (Jo-Vex) wonderful value as a Pyorrhea treatment, and I have not used it in a single case without getting more than satisfactory results.' \* \* \* 'I believe it to be the best agent in the treatment of all gum diseases I have used in the past thirty years.' \* \* \* 'I use it for nasal catarrh, sort throat, ulcers in mouth and throat'."

On September 6, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*