

18504. Misbranding of Cystogen aperient and Cystogen lithia. U. S. v. 21 Packages of Cystogen Aperient, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 26068, 26069, 26070. I. S. Nos. 15898, 20154, 20155. S. Nos. 4275, 4276.)

Examination of drug products, known as Cystogen aperient and Cystogen lithia, from the shipments herein described having shown that the articles were accompanied by circulars which bore statements representing that they possessed curative and therapeutic properties which they did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the middle district of Pennsylvania.

On March 23 and March 24, 1931, the United States attorney filed in the district court of the United States for the district aforesaid libels praying seizure and condemnation of 49 packages of Cystogen aperient and 33 packages of Cystogen lithia, remaining in the original unbroken packages at Scranton, Pa., alleging that the articles had been shipped by the Cystogen Chemical Co., from Brooklyn, N. Y., in part on or about May 14, 1930, and in part on or about July 11, 1930, and had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the Cystogen aperient consisted essentially of sodium phosphate (51.4 per cent), and methenamine (7.8 per cent) in an effervescent base composed of sodium bicarbonate, citric acid, and tartaric acid, and/or potassium bitartrate; and that the Cystogen lithia consisted of tablets each containing methenamine (3 grains), lithium tartrate (2.9 grains), and an effervescent base of sodium bicarbonate, citric acid, and tartaric acid.

It was alleged in the libels that the articles were misbranded in that the following statements appearing in the circulars, regarding the curative and therapeutic effects of the said articles, were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Cystogen aperient) "Cystogen is a general internal antiseptic to be used in the treatment of all infections of the urinary tract, including pyelitis, cystitis, urinary infection from ureteral calculi, retention of urine from prostate or tabes dorsalis and urethritis. * * * Cystogen disinfects the intestinal and genito-urinary tracts. * * * It is a routine procedure before most operations, in abscesses, forunculosis, ulcers, in otitis media, tonsillitis and quinsy. In alcoholism and drug addiction it clears the body of deleterious matter and overcomes the irritation of the nervous system. Cystogen Aperient is valuable in pneumonia when resolution takes place and in gonorrhoeal arthritis;" (Cystogen lithia) "This combination is a true solvent and eliminant that promotes the solution and excretion of uric acid. Its use is indicated in all conditions of uric acid retention and in the treatment of nearly every infectious disease. * * * Cystogen-Lithia is used in gout, rheumatism, diabetes and lithaemic diathesis for this treatment expels the toxins and reduces antiseptic conditions throughout the body."

On June 9, 1931, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18505. Misbranding of Oxien Nazone salve. U. S. v. 9 Boxes of Oxien Nazone Salve. Default decree of destruction entered. (F. & D. No. 26088. S. No. 4343.)

Examination of a drug product, known as Oxien Nazone salve, having shown that the carton label and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the southern district of Ohio the interstate shipment herein described, involving a quantity of the product at Columbus, Ohio.

On March 24, 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 nine boxes of Oxien Nazone salve at Columbus, Ohio, alleging that the article had been shipped by the Giant Oxie Co., from Augusta, Me., on or about January 6, 1931, and had been transported from the State of Maine into the State of Ohio, 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 an ointment with a petrolatum base containing volatile oils

including sassafras oil, camphor, and methyl salicylate, and traces of phenol and menthol.

It was alleged in the libel that the article was misbranded in that the statement on the carton, "We, the undersigned, do hereby guarantee that our Nazone Salve is not adulterated or misbranded," was false and misleading. Misbranding was alleged for the further reason that the following statements appearing on the labeling, regarding the curative or 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: (Carton) "Deafness, Catarrh, Eczema * * * Influenza, etc. * * * To sufferers from Catarrh and other ills brought on by colds and influenza, Nazone is a blessing. Catarrh ordinarily leads to Laryngitis, Bronchitis, eye ailments, Catarrhal Deafness, or to Catarrh of the Stomach and Bowels. Use Nazone Salve for catarrh or its consequences. As in the case of * * * sore throats, the Nazone is applied in the throat and nose, internally. Relieves inflammation in the mucous membranes in the nose, throat or chest when once the purifying, soothing salve is there. Remedy for * * * Coughs, * * * Catarrhal Deafness, Sore Eyelids; Influenza, * * * Nazone Salve applied externally for sore, inflamed, chafed or raw places such as are found in Eczema, * * * Salt Rheum, Bites, * * * Ulcers, * * * New or Old Sores, * * * Boils, * * * Pimples, Scalp Humors, * * * Rash and Earache. * * * Oxien Nazone Salve is one of the most * * * healing mixtures * * * Special care is used in the selections of refined essential oils noted for their curative qualities;" (circular) "Is your breath foul smelling? It's dangerous and disagreeable. If the catarrh is allowed to develop further it will cost you something—maybe your life or all your friends. In Oxien Nazone Salve we have one of the most * * * healing mixtures * * * It Is * * * Healing * * * Used for * * * Eczema, Salt Rheum, Ulcers * * * Also For Catarrh, Influenza, Coughs * * * Sore Throat, Hay Fever * * * Sore Eyelids * * * Deafness, Catarrh, Eczema * * * Influenza, etc. * * * To sufferers from Catarrh and all other ills brought on by colds and influenza, Nazone is a blessing. Catarrh ordinarily leads to Laryngitis, Bronchitis, Eye Ailments, Catarrhal Deafness, or to Catarrh of the Stomach and Bowels. Use Nazone Salve for the worst case of catarrh or its consequences. As in the case of * * * sore throats, the Nazone is applied in the throat and nose, internally. Relieves inflammation in the mucous membranes in the nose, throat or chest when once the purifying soothing salve is there. Remedy for * * * Coughs, Catarrh, Sore Throat, Hay Fever, Catarrhal Deafness, Sore Eyes, Influenza."

On May 13, 1931, no claimant having appeared for the property, judgment was entered by the court ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18506. Adulteration and misbranding of Pyor-Heal. U. S. v. 5½ Dozen Bottles, et al., of Pyor-Heal. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 25763, 25772. I. S. Nos. 8117, 8123. S. Nos. 3960, 4001.)

Examination of a drug product, known as Pyor-Heal, showed that the bottle label and accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess. Bacteriological examination showed that it was not an antiseptic and bactericide, as represented in the labeling.

On January 28 and February 18, 1931, the United States attorney for the eastern district of Tennessee, acting upon reports by the Secretary of Agriculture, filed in the district court of the United States for the district aforesaid libels praying seizure and condemnation of 7½ dozen bottles of Pyor-Heal, remaining in the original unbroken packages in part at Chattanooga, Tenn., and in part at Knoxville, Tenn., alleging that the article had been shipped by the Brander Co., from New York, N. Y., on or about May 12, 1930 and October 21, 1930, respectively, and had been transported from the State of New York into the State of Tennessee, 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 an emulsion containing phenols, resins, free alkali, and water. Bacteriological examination showed that the article was not antiseptic nor bactericidal.