

On September 30, 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.*

18946. Misbranding of Servex. U. S. v. 144 Small Sets, et al., of Servex. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26893. I. S. No. 11160. S. No. 5078.)

Examination of a drug product, known as Servex, from the shipment herein described having shown that the labeling contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Oregon.

On August 21, 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 144 small sets and 24 regular sets of the said Servex, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Burnham-Snow Products Co., from Hollywood, Calif., on or about June 3, 1931, and had been transported from the State of California into the State of Oregon, 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 boric acid (86 per cent), oxyquinoline sulphate, and quinine sulphate, perfumed.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (On inside cover) "Leucorrhoea should be treated by the use of Servex each night until relieved, * * * To prevent infection, use Servex before exposure;" (circular) "Your Health, Madam! * * * These are days of frankness, * * * Of utmost importance are the facts of how safely to protect yourself from infection that may lead to unhappiness, loss of health and, perhaps, disease. * * * Thousands of such women are finding new freedom, an end to ill health, and revived zest in life through use of the modern vaginal powder, Servex. * * * For the truth about this harmless, vaginal protective powder * * * Use Servex before retiring for treatment of Leucorrhoea and other vaginal infections. * * * Seventy-Five Per Cent, * * * three out of every four, women suffer from various degrees of pelvic congestion. This congestion causes a feeling of weight and discomfort. It drains vitality and brings discord to the nervous system. Neglected, it insidiously wears down resistance and prepares the way for serious disorders. One of the most frequent results of this condition is leucorrhoea. Leucorrhoea is due usually to an ulceration at the mouth of the womb, and is a frequent cause of discharge which, in the most distressing cases becomes very profuse and is accompanied with burning and itching sensations. Servex, because of its action, aids nature to correct these conditions. * * * It relieves congestion and is particularly effective in the treatment of leucorrhoea. For years physicians have treated such conditions over prolonged periods of time through the use of tampons, suppositories, douches and various local applications. The need for these trying treatments may be prevented through the use of Servex. * * * is recommended by many physicians, as a healthful and helpful stimulant. * * * Your health, madam, is the reward of intelligent attention to personal hygiene."

On December 10, 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.*

18947. Misbranding of Pabst's Okay specific. U. S. v. 120 Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26988. I. S. Nos. 38409. S. No. 5190.)

Examination of a drug product, known as Pabst's Okay specific, from the shipment herein described having shown that the bottle and wrapper labels and the accompanying circulars contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Puerto Rico.

On September 30, 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 120 bottles of the said Pabst's Okay specific at San Juan, P. R., alleging that the article had been shipped on or about July 17, 1931, by the Pabst Chemical Co., Chicago, Ill., to San Juan, P. R., that it was being sold and offered for sale in Puerto Rico by J. M. Blanco (Inc.), San Juan, P. R., and that it was misbranded in violation of the food and drugs act as amended.

Analysis of samples of the article showed that it consisted essentially of cubeb oil, copaiba oleoresin, buchu extract, uva ursi extract, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effects, appearing on the bottle and wrapper labels and in the accompanying circulars, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "O. K. Okay Specific;" (wrapper) "O. K. Okay Specific * * * Take it and you will not be disappointed Absolutely Safe;" (small circular, entitled "The Okay Tonic") "Men * * * who had just completed a treatment with our Okay Specific and felt the need of just such a medicine to overcome the after-effects of acute infections. * * * these patients, * * * following a siege of debilitating sickness. * * * 'Tonic' is not to be taken at the same time you take the 'Okay Specific.' When you are through with the treatment for Gonorrhoea and Gleet, then we would advise you to take some of our 'Okay Tonic' * * * It has a soothing effect on the * * * organs that were affected by your recent illness. * * * Do not confuse the Okay Tonic with the Okay Specific. It is not to be taken instead of the Okay Specific, but as an After Treatment. When you have been cured of the Gonorrhoea, then use The Okay Tonic [similar statements in several foreign languages]," (large circular, entitled "Pabst's Okay Specific") "Take the medicine regularly in full doses without interrupting the treatment until satisfactory results have been obtained; continue taking the medicine for fifteen days after all outward signs have disappeared. * * * Chronic Cases Pabst's Okay Specific is especially beneficial in chronic cases. These cases, which are usually of long standing, * * * generally disappear after using Okay Specific. Of course, it must not be expected that a case of many years' standing will disappear after taking one bottle of the medicine; very old cases may require more time and longer treatment, and several bottles, sometimes four or five of the medicine may have to be taken before satisfactory results are obtained. * * * the case is one of long standing, continue for ten to fifteen days with full doses after all outward signs have disappeared, and then ten to fifteen days more in gradually diminished doses. [Similar statements in several foreign languages.]"

On November 28, 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.*

18948. Misbranding of Seelye's Wasa-Tusa. U. S. v. 47 Small-Sized Bottles, et al., of Seelye's Wasa-Tusa. Default decree of destruction entered. (F. & D. No. 26734. I. S. Nos. 25526, 27474. S. No. 4840.)

Examination of a drug product, known as Seelye's Wasa-Tusa, from the shipments herein described having shown that the bottle labels bore statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Missouri.

On July 2, 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 47 small-sized bottles and 37 large-sized bottles of the said Seelye's Wasa-Tusa, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the A. B. Seelye Medicine Co., from Abilene, Kans., in various consignments, on or about January 8, March 5, and May 12, 1931, and had been transported from the State of Kansas into the State of Missouri, 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 chloroform, ether, ammonia, alcohol, a volatile oil such as camphor oil, and water.