

Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about May 2 and May 17, 1932, by the Bika Biochemical Laboratories, from Philadelphia, Pa., into the State of California, 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 tablets composed of milk sugar, starch, ground plant material, a small proportion of organic nitrogenous material, and 1.1 percent of inorganic material including sodium, potassium, calcium, iron, manganese, and magnesium sulphates and phosphates, and an insoluble silicate.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effects were false and fraudulent: (Circular) "A safe, reliable remedy to reduce high blood pressure. The effectiveness of Bika Percholin is enhanced through the properties of cholin, which exerts a restraining influence upon the too free manufacturing of hormones in the kidney region. Thyroid and spleen hormones, combined with magnesium salt and vitamins, produce an irresistible remedy, conquering high blood pressure conditions, irrespective of the particular cause or governing conditions. Bika-Percholin also encourages sluggish bowel movement into normal activity, even to the extent of restoring to normal a paralysis-of-the-bowel condition. * * * High blood pressure (types due to various causes) sluggish bowels. * * * An essential function of gland therapy is its ability to directly influence the excretory glands, in the event of an under or over production of hormones—with its resulting disturbance of the health balance. The unique effectiveness of Bika gland remedy lies in its ability to restore the equal balance of hormone production; encouraging uninterrupted hormone production in normal, minute quantities, acceptable to the bloodstream. Recognizing the fact that the human organism reacts unfavorably when hormone-production balance is disturbed; Bika gland remedy attacks and equalizes this condition. Heretofore, the effective introduction of hormone-stimulating preparations were hampered by the necessity of the hyperdermic method; which restricted the physician to a minute and oft-repeated dosage, with its frequently unpleasant reactions and manifestations. This condition was the lesser evil compared to the hyperdermic, which introduced a greater mass of hormones, thereby forcibly creating a rapid rise in the hormone balance—the sudden shock attended by alarming physiological reactions. Vastly superior in effectiveness * * * the law of reabsorption and metabolism, encouraging and stimulating effected glands into normal productivity. * * * assures an established, permanent hormone balance."

On March 31, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20743. Misbranding of Osteon. U. S. v. 8 Boxes of Osteon-Masc. and 9 Boxes of Osteon-Fem. Default decree of condemnation and destruction.
(F. & D. nos. 28677, 28678. Sample nos. 13603-A, 13604-A.)

This case involved two lots of a drug preparation, labeled Osteon-Masc. and Osteon-Fem. and accompanied by circulars containing identical curative claims. Analyses showed that the articles contained no medicinal agents capable of producing the curative and therapeutic effects claimed.

On August 25, 1932, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 8 boxes of Osteon-Masc., and 9 boxes of Osteon-Fem., remaining in the original unbroken packages at Los Angeles, Calif., alleging that the articles had been shipped in interstate commerce between the dates of December 23, 1931 and April 21, 1932, by the Bika Biochemical Laboratories, from Philadelphia, Pa., into the State of California, and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles by this Department showed that Osteon-Masc. consisted of tablets containing essentially milk sugar, starch, a small proportion of organic nitrogenous material, ground plant material and 2.8 percent of inorganic material, including an insoluble silicate such as talc, calcium phosphate, potassium, sodium, magnesium, iron and manganese sulphates and chlorides; and that Osteon-Fem. consisted of tablets composed of milk sugar, starch, a small proportion of organic nitrogenous material, ground plant material and 3.6 percent of inorganic material including an insoluble

silicate such as talc, calcium phosphate, and small proportions of potassium, sodium, magnesium, iron and manganese sulphates and chlorides.

It was alleged in the libel that the articles were misbranded in that the following statements regarding the curative or therapeutic effects of the articles, were false and fraudulent: (Circular) "Osteon Male Female * * * Every type of retarded development and weakness are the result of inability of body organs to retain the necessary quantity of cell-salts; a contributing factor is a disturbed condition of certain incretory glands. Among the glands influencing growth and calcium production, the hypophyse and the germinative are of major importance. Their efficacy is enhanced by the vitamine content of osteon. The mineral salts, by virtue of a newly discovered method, are produced in readily absorbable form; calcium phosphate has proved the foundation key of the blood-cell formation. Jod, in minute quantities encourages metabolism. Bika-osteon, due to its constituents and balance, offers a most superior remedy for: * * * Rickets, stunted-growth, atrophy, scrofula, faulty digestions. * * * An essential function of gland therapy is its ability to directly influence the encretory glands, in the event of an under production of hormones—with its resulting disturbance of the health balance. The unique effectiveness of Bika gland remedy lies in its ability to restore the equal balance of hormone production; encouraging uninterrupted hormone production in normal, minute quantities, acceptable to the blood-stream. Recognizing the fact that the human organism reacts unfavorably when hormone-production balance is disturbed; Bika gland remedy attacks and equalizes this condition. Heretofore, the effective introduction of hormone-stimulating preparations were hampered by the necessity of the hyperdermic method; which restricted the physician to a minute and oft-repeated dosage, with its frequently unpleasant reactions and manifestations. This condition was the lesser evil compared to the hyperdermic, which introduced a greater mass of hormones, thereby forcibly creating a rapid rise in the hormone balance—the sudden shock attended by alarming physiological reactions. Vastly superior in effectiveness * * * the law of reabsorption and metabolism, encouraging and stimulating effected glands into normal productivity. * * * assures an established, permanent hormone balance."

On March 31, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20744. Misbranding of Vita salve and Ol De Vita. U. S. v. 250 Tubes of Vita Salve and 144 Bottles of Ol de Vita. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 28670, 28674. Sample nos. 1116-A, 1124-A.)

Examination of the products covered by these cases disclosed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Bacteriological tests of the Ol De Vita showed that it was not bactericidal, as claimed.

On August 25, 1932, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States libels praying seizure and condemnation of 250 tubes of Vita salve and 144 bottles of Ol De Vita, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the articles had been shipped in interstate commerce, the former on or about July 16, 1931, and the latter on or about July 16, 1932, by the Bika Biochemical Laboratories, from Philadelphia, Pa., into the State of California, and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles by this Department showed that Ol De Vita consisted of essential oils including peppermint oil. Bacteriological examination showed that the article undiluted failed to kill a resistant strain of *Staphylococcus aureus* in 1 hour at body temperature; and that Vita salve consisted essentially of petrolatum, paraffin, and 21.4 percent of volatile oils including peppermint oil and methyl salicylate.

It was alleged in the libel filed against the said Ol De Vita that the article was misbranded in that the following statements appearing on the bottle and wrapper label were false and misleading, since it was not bactericidal: "Properties: destroys cold and catarrhal pus bacilli when taken internally—10 to 20 drops, in tablespoonful water twice daily." Misbranding of both products was alleged for the reason that the following statements regarding the curative and