

22619. Adulteration and misbranding of Goth-Ora Antiseptic. U. S. v. 70 Bottles of Goth-Ora Antiseptic. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32468. Sample no. 67094-A.)

Examination of Goth-Ora Antiseptic showed that it was not antiseptic and that it contained less alcohol than declared on the label.

On April 2, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 bottles of Goth-Ora Antiseptic at Hoboken, N. J., alleging that the article had been shipped in interstate commerce, on or about February 21, 1934, by the General Merchandise & Sales Co., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Goth-Ora Antiseptic * * * Gotham Pharmacal Co., New York City."

Analysis of a sample of the article by this Department showed that it consisted essentially of water, alcohol (17.5 percent by volume), and essential oils. Bacteriological examination showed that when used full strength it would not destroy *Staphylococcus aureus* in 5 minutes.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely, "Antiseptic."

Misbranding was alleged for the reason that the statements on the bottle label, "Antiseptic Goth-Ora Antiseptic is an efficient * * * Mouth Wash * * * Alcohol 25%", were false and misleading. Misbranding was alleged for the further reason that the package failed to bear on its label a statement of the quantity or proportion of alcohol contained in the article, since the declaration was incorrect.

On May 25, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

22620. Misbranding of Dunlop Pyorrhoea Paste. U. S. v. 14 Tubes of Dunlop Pyorrhoea Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32475. Sample no. 64237-A.)

Examination of the drug preparation involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On April 2, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 tubes of Dunlop Pyorrhoea Paste at Chicago, Ill., alleging that the article had been shipped by the Emme Dental Specialty Co., from St. Paul, Minn., on or about September 8, 1933, and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "The Dunlop Pyorrhoea Machine Manufacturing Company * * * St. Paul, Minnesota."

Analysis of a sample of the article by this Department showed that it consisted essentially of boric acid, glycerin, oil of peppermint, water, and alcohol.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the article, were false and fraudulent: (Carton and tube) "Pyorrhoea Paste * * * for the treatment of pyorrhoea and mouth diseases"; (carton) "Pyorrhoea Machine Manufacturing Company * * * Patients' Directions: Dunlop Pyorrhoea Paste is not a mere dentifrice. In pyorrhoea cases or trench mouth if the gums are too sore to brush paste may be applied with the finger, rubbing lightly. Rub with up and down motion, working paste under the gum margin as well as massaging the gums * * * Dentists' directions: Inject paste into pyorrhoea pockets * * * Pyorrhoea * * * for pyorrhoea and mouth diseases."

On May 15, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*