

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

18301-18350

[Approved by the Secretary of Agriculture, Washington, D. C., December 12, 1931]

**18301. Adulteration and misbranding of Vident No. 4 powder for Riggs' disease and misbranding of Vident No. 6 Riggs' Disease mouth wash. U. S. v. 48 Cans of Vident No. 4 Powder for Riggs' Disease, et al. Decrees of condemnation. Products released under bond. (F. & D. Nos. 25622, 25623. I. S. Nos. 8474, 8475. S. No. 3839.)**

The products herein described consisted of a powder and a mouth wash. Both were represented to possess curative and therapeutic properties which they did not possess; the powder was not antiseptic and germicidal, as labeled.

On or about January 9, 1931, the United States attorney, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the Western District of Texas libels praying seizure and condemnation of 48 cans of Vident No. 4 powder for Riggs' disease, and 19 bottles of Vident No. 6 Riggs' disease mouth wash at San Antonio, Tex., alleging that the articles had been shipped by Katz & Besthoff (Ltd.), from New Orleans, La., in part on or about September 15, 1930, and in part on or about October 31, 1930, and had been transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Vident No. 4 powder for Riggs' disease by this department showed that it consisted essentially of pumice, calcium carbonate, sodium bicarbonate, sodium chloride, and boric acid with small proportions of a phenolsulphonate, menthol, and thymol. Bacteriological examination showed that product was not antiseptic. Analysis of a sample of the Vident No. 6 Riggs' disease mouth wash by this department showed that it contained water, alcohol (20 per cent), glycerin, potassium iodine, boric acid, zinc chloride, and iodine, with small proportions of formaldehyde, thymol, and eucalyptol.

It was alleged in the libels that the articles were adulterated in that their strength fell below the professed standard or quality under which they were sold, namely, "Antiseptic \* \* \* Germicidal." (This department is in possession of no facts to support a charge of adulteration against the mouth wash and recommended that the charge be brought against the powder only.)

Misbranding of the said powder was alleged for the reason that the statements "Antiseptic \* \* \* Germicidal," appearing on the label, were false and misleading and deceived and misled the purchaser. Misbranding was alleged with respect to both products for the reason that the following statements appearing on the cartons and on the can or bottle labels, regarding the therapeutic or curative effects of the articles, were false and fraudulent: (Vident powder, carton and can) "Riggs' Disease an adjunct to Vident Riggs' Disease Mouth Wash \* \* \* and assists the recovery of gums;" (Vident mouth wash, carton and bottle) "Riggs' Disease Mouth Wash is invaluable for all forms of Stomatitis, Gingivitis, Salivation and Aphthae and is a great aid in the treatment of Pyorrhoea Alveolaris \* \* \* Vident Riggs' Disease Powder No. 4 must be used in conjunction with this mouth wash."

On April 29, 1931, Katz & Besthoff (Ltd.), New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation were entered and it was ordered by the court that the products be released to the said claimant upon payment of costs and the execution of bonds totaling \$200, conditioned in part that they be returned to the claimant at New Orleans, La., and relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18302. Misbranding of Uric-O. U. S. v. ¾ Dozen Large Bottles, et al., of Uric-O. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26146. I. S. Nos. 27962, 27963. S. No. 4387.)**

Examination of a drug product, known as Uric-O, from the shipment herein described having shown that the bottle and carton labels and accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On March 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 ¾ dozen large-sized and ¾ dozen small-sized bottles of Uric-O, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the E. C. MacKallor Drug Co., Binghamton, N. Y., alleging that the article had been shipped from Binghamton, N. Y., on or about November 24, 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.

Analysis of a sample of the article by this department showed that it contained sodium salicylate (4.66 grams per 100 cubic centimeters—2.86 grains per teaspoonful), potassium iodide (0.9 gram per 100 cubic centimeters—0.51 per teaspoonful), extracts of plant drugs, alcohol, and water.

It was alleged in the libel that the article was misbranded in 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: (Bottle and carton) "Uric-O An Internal Medicine Particularly for Use in the Treatment of Rheumatism;" (circular) "Uric-O Best for Rheumatism \* \* \* Uric-O For Rheumatism. If suffering with Rheumatism or any trouble caused by an excess of Uric Acid or other waste matter in the blood, such as Kidney and Blood Disorders, Lame Back or some form of Headache and Nervous Troubles, Dizziness, etc., you need, by all means, to try Uric-O. It never fails in the most stubborn cases, because it removes the cause of the trouble, acts in a natural way to neutralize the acid and free the system of the poisons responsible for the most forms of the disease, that lead up to chronic troubles, if neglected."

On April 20, 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.*

**18303. Misbranding of Ingodine tablets. U. S. v. 3½ Dozen Bottles of Ingodine Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26182. I. S. No. 27957. S. No. 4357.)**

Examination of a drug product, known as Ingodine tablets, from the shipments herein described having shown that the bottle label and accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On April 6, 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 3½ dozen bottles of Ingodine tablets, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Govett (Ltd.), Long Island City, N. Y., alleging that the article had been shipped from Long Island City, N. Y., in part on or about January 16, 1931, and in part on or about February 9, 1931, 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.