

18321. Misbranding of Gum-Rub. U. S. v. 66 Packages of Gum-Rub. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26121. I. S. No. 27887. S. No. 4392.)

Examination of a drug product, known as Gum-Rub, from the shipments herein described having shown that the bottle and carton labels 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 March 27, 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 66 packages of Gum-Rub, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Gum-Rub (Inc.), Detroit, Mich., alleging that the article had been shipped from Detroit, Mich., in part on or about November 25, 1930, and in part on or about January 28, 1931, and had been transported from the State of Michigan 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 consisted essentially of sulphur (22 per cent), glycerin, gum, and water, flavored with peppermint oil.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or 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: (Carton) "A Treatment for Pyorrhea and Lesser Gum Disorders * * * A Home treatment for and in prevention of pyorrhea, and its forerunners—receding, bleeding, tender and flabby gums, gum ailments concurrent with pregnancy * * * gingivitis; for starved or undernourished gums. To revitalize the circulation, as a toner. * * * A Home treatment for and in prevention of pyorrhea, and its forerunners—bleeding, receding, spongy gums and other gum disorders * * * Gum-Rub maintains health and vigor in the gums;" (bottle) "For Pyorrhea, Receding, Bleeding, Spongy and starved or undernourished gums * * * Gum ailments during pregnancy * * * Also, in prevention;" (circular) "Gum-Rub maintains health, vigor, * * * in the gums. Furthermore, Gum-Rub is a scientific treatment of mechanotherapy value in pyorrhea and its forerunners; bleeding and receding gums, and other gum ailments, both for professional use and as a home treatment. * * * Treatments. Pyorrhea * * * In treating pyorrhea it is important to maintain proper nourishment in the gums in order to build up the impaired tissues, * * * For these prime requisites Gum-Rub, in one operation, quickly and effectively resuscitates the circulation, thereby aiding nature in rebuilding the impaired tissues * * * Receding Gums are generally due to the superficial gum surfaces having been denied nourishment. Thus the gums have shrunk or atrophied. If this condition is allowed to progress, finally the underlying structure also becomes deprived of proper nourishment, and becomes a positive forerunner of, and leads to pyorrhea. Treatment: In receding gums it is necessary to revivify the circulation so that fresh blood reaches the undernourished parts and rebuilds the tissue which has shrunk. Gum-Rub treatment promptly revitalizes the circulation. * * * In cases of marked recedence of gums, * * * the quantity of Gum-Rub should not be cut down if it is hoped to overcome this gum disease and avoid pyorrhea. * * * Bleeding Gums * * * Too long delay and continued neglect of a bleeding condition may lead to pyorrhea. Treatment: To overcome bleeding gums, it is necessary to cause the tiny blood vessels to empty themselves and revivify the impaired circulation, * * * The time required to overcome bleeding gum conditions will vary and depends upon how badly the circulation is impaired. However, you will feel an improvement after the very first Gum-Rub treatment * * * The treatment should be continued until the gums have returned to a normally healthy condition. Thereafter Gum-Rub, once a day will aid in preventing the recurrence of this condition. * * * Flabby Gum Conditions—Due to undernourishment. Revitalization of the circulation and cleanliness are necessary. Spongy and flabby gums respond rapidly to Gum-Rub treatment as in one operation Gum-Rub revitalizes the circulation * * * Furthermore, by keeping the mouth clean one can often avoid various diseases of the gums. Dental hygienists are today using Gum-Rub as a part of their oral prophylaxis routine. * * * In Pregnancy—During the earlier months, disorders occur in the secretion of saliva and in the blood supply of the gums. As time goes on, an increase in gum infection and tooth

decay may follow, ending in rapid and hopeless tooth destruction and chronic pyorrhoea. Early treatment with Gum-Rub will prevent this unfortunate sequel. * * * Bear in mind that gum diseases are not a temporary or overnight condition, but the result of having neglected minor afflictions over a long period of time. Usually gum diseases reach a semi-serious or serious stage before the patient commences treatment. Thus, treatment with Gum-Rub should not be discontinued because gums show a superficial improvement, due to the quick action of Gum Rub, but the treatment with Gum Rub should be continued until your dentist pronounces your gums as having returned to a normal and healthy condition. Thereafter, treatment once a day should be continued as a prevention against recurrence of the disease."

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.*

18322. Misbranding of fluid extract of ginger. U. S. v. 1 Barrel of Liquid Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25905. I. S. No. 13109. S. No. 4175.)

Examination of a product, labeled "Liquid Medicine," from the shipment herein described having shown that it was an extract of ginger containing a large proportion of alcohol, and that the label failed to declare the quantity or proportion of alcohol contained in the article, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On February 13, 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 1 barrel of the so-called liquid medicine, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by Jordan Bros., New York, N. Y., on or about January 30, 1931, and had been transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was misbranded in that it contained alcohol and the quantity or proportion of alcohol contained in the said article was not stated on the label.

On March 21, 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.*

18323. Adulteration and misbranding of fluid extract of ginger. U. S. v. 5 Barrels of Liquid Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25904. I. S. No. 13108. S. No. 4174.)

Examination of the so-called liquid medicine from the shipment herein described having shown that it had been invoiced as fluid extract of ginger, U. S. P., whereas it was not a pharmacopoeial product, also that the label failed to bear a statement of the quantity or proportion of alcohol contained in the article, the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of California.

On February 13, 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 5 barrels of the said liquid medicine, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by Jordan Bros., New York, N. Y., on or about January 29, 1931, and had been transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act. On April 13, 1931, the libel was amended to include adulteration charges and a further misbranding charge.

It was alleged in the libel as amended that the article was adulterated in that it failed to meet the pharmacopoeial requirements for ginger extract (fluid extract), and for the further reason that it fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the article contained alcohol, and the quantity or proportion of alcohol contained therein was not stated on the label. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the name of another article.