

Analyses of samples of the articles by this department showed that Gonolin consisted essentially of a magnesium compound, iodide, phosphate, extracts of plant drugs, and water; and Osmogen consisted essentially of iodide, phosphate, extracts of plant drugs, and water.

It was alleged in the libels that the articles were misbranded in that the statements, (Gonolin) "Gonolin Proto-Enzyme Treatment for Gonorrhoea" and (Osmogen) "An Isotonic Solution inducing Normal Sugar Osmosis in Diabetes," appearing on the carton labels, regarding the curative or therapeutic effects of the articles, were false and fraudulent, since the articles contained no ingredient or combination of ingredients capable of producing the effects claimed.

On February 16, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19155. Misbranding of Fayro. U. S. v. 28 Packages of Fayro. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27190. I. S. No. 38818. S. No. 5351.)**

The labeling of the drug product Fayro contained statements representing that the article when used in the bath would duplicate a hot springs bath in the home, and that it possessed curative and therapeutic properties. Examination showed that it would not duplicate such baths and that it did not possess the curative and therapeutic properties claimed. The packages contained less than the amount declared on the carton label.

On October 29, 1931, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 28 packages of Fayro, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Kells Co., from Newburgh, N. Y., on or about June 27, 1931, and had been transported from the State of New York into the State of Massachusetts, 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 Epsom salt (87 per cent), rock salt (13 per cent) with a small proportion of an aromatic oil. The net weights of the two packages examined were 15.8 ounces and 16.4 ounces, respectively.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling were false and misleading: (Booklet) "Fayro—the Hot Springs Home Bath Treatment. \* \* \* We studied the analysis of the various hot springs when preparing the formula for Fayro \* \* \* When we first started to work to prepare the formula for Fayro we obtained analyses of the waters and the active ingredients of twenty-two of the most famous hot springs throughout the world. \* \* \* We adopted a formula that exactly duplicates a hot springs bath. \* \* \* it readily enters through the skin and mixes with the water in and around the sweat glands. \* \* \* When you put Fayro into your bath water you have recreated a hot springs bath in your own bath tub. \* \* \* Most of the fat of the body lies just under the surface of the skin. \* \* \* Fayro enters and dissolves the fatty tissues. \* \* \* produced in small quantities, Fayro would cost several times its retail price. The body has absorbed \* \* \* Fayro \* \* \* during the treatment;" (carton) "Net contents more than 20 ozs." Misbranding of the article was alleged for the further reason that the following statements appearing in the labeling of the said article, regarding its curative or therapeutic effects, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Is guaranteed to reduce weight two to four pounds in each bath;" (booklet) "One Fayro Bath each few days will prove very beneficial in rheumatic and gout cases. One Fayro Bath weekly is helpful as a general tonic to anyone. It enables you to keep your weight under control and helps you to stay fit and refreshed for the duties of social and business life. \* \* \* Put the unopened bag of Fayro into the water. It will dissolve and while dissolving may be rubbed gently on chin, abdomen, legs or any part of the body you particularly wish to reduce. You will note nothing unusual for the first five to fifteen minutes. During this time Fayro is opening your pores and entering your skin to dissolve subsurface fat. \* \* \* You will note that this per-

spiration is not merely water. It is oily and greasy. \* \* \* Add some more hot water to the tub. Fayro works much more thoroughly and faster in hot water, so keep the temperature high. Stay in the bath from 20 to 30 minutes. \* \* \* You have sweated away from 2 to 4 pounds of fats and poisons and tomorrow you will feel fine. \* \* \* Rheumatism, Gout, Neuritis, Neuralgia Because of the therapeutic effects of the hot water and the wonderful eliminative effects of Fayro it is highly recommended in all cases of rheumatism, gout, neuritis, and neuralgia. Follow the directions, being sure to drink at least three glasses of water while in the bath. \* \* \* Fayro Reduces Weight Where Desired. After immersing your body in your Fayro Bath and before the bag of Fayro is entirely dissolved, firmly massage the parts you wish particularly to reduce with the cloth bag of Fayro. Excellent results are obtained in this manner."

On November 23, 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.*

**19156. Misbranding of Duncan's Ozon. U. S. v. 19 Dozen Small and 6 Dozen Large Bottles of Duncan's Ozon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26476. I. S. No. 25751. S. No. 4760.)**

Examination of a drug product, known as Duncan's Ozon, from the shipment herein described showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the labeling.

On June 8, 1931, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 19 dozen small and 6 dozen large bottles of Duncan's Ozon, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Duncan Co. (Duncan Chemical Co.), from St. Louis, Mo., on or about April 30, 1931, and from Maplewood, Mo., on or about March 23, 1931, and had been transported from the State of Missouri into the State of Tennessee, 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 pine oil.

The labeling of the article bore the following curative and therapeutic claims: (Bottle label, both sizes) "Rheumatism, Backache, Kidney and Bladder Trouble take 10 to 20 drops on sugar \* \* \* Indigestion, Heart Burn, Acid Stomach, 5 to 15 drops in water before meals. For sore mouth, Riggs Disease or Pyorrhea, take small quantity in mouth and rinse gums 3 to 5 minutes. \* \* \* Itch \* \* \* Ring Worms, Tetter; saturate thoroughly. \* \* \* For Fistula;" (carton, both sizes) "Relieves Pains and Inflammation. An Invaluable Dressing for sores."

It was alleged in the libel that the article was misbranded in violation of section 8, paragraph 3, under drugs, in that the statements regarding the curative and therapeutic effects of the said article were false and misleading and deceived and misled the purchaser. (Paragraph 3 of section 8, under "Drugs" relates to drugs, the package or label of which shall bear or contain any statement, design, or device regarding the curative or therapeutic effects of such article, which is false and fraudulent.)

On or about January 19, 1932, 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.*

**19157. Adulteration and misbranding of Phenol Sodique. U. S. v. 3 Dozen Bottles of Phenol Sodique. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26779. I. S. No. 8171. S. No. 4520.)**

Examination of a drug product, known as Phenol Sodique, showed that the bottle and carton labels and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess. The article was also represented to be an antiseptic, whereas it was not.