

21599. Misbranding of Medisalt. U. S. v. 1,074 Packages of Medisalt. Consent decree of condemnation. Product released under bond.
(F. & D. no. 31126. Sample no. 42790-A.)

Examination of the drug product, Medisalt, disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Tests of the article also showed that it was not an antiseptic when used as directed.

On September 21, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,074 packages of Medisalt at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about May 4, 1933, by the Carey Salt Co., from Hutchinson, Kans., 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 sodium chloride, magnesium carbonate, and water, flavored with menthol and cassia oil. A bacteriological test showed that the article was not antiseptic when used as directed.

It was alleged in the libel that the article was misbranded in that the following statement appearing on the label was false and misleading: "Make Medisalt Antiseptic Solution by dissolving small quantity of Medisalt in warm water." Misbranding was alleged for the further reason that the following statements appearing in the circular shipped with the article, regarding its curative or therapeutic effects, were false and fraudulent: "The formation of the substance known to the profession as mucin plaques, but generally called film soon covers any debris left by a dentifrice. This covered debris, in turn, irritates the gum tissues, which results in a congestion or what is commonly called sore gums. The cells may become sluggish, thus impairing the circulation. The use of Medisalt assures you of a thoroughly clean mouth and sparkling teeth. At the same time * * * it stimulates the activity of the gums by * * * will result in a firm and healthy gum tissue. * * * Thoroughly clean teeth do not decay; thoroughly clean gums do not become sore. Disease germs that attack the throat seldom lurk in a mouth that is really clean. * * * purifying * * * Some of the highest dental authorities have stated in books written for the practicing dentist that salt is a valuable aid in the prevention of mouth disease * * * a gargle for mouth and throat ailments * * * In scientific literature of the dental profession, frequent references are made to its use in treating soft and diseased gums. * * * If your gums are puffy or spongy, and dark in color, and have a tendency to bleed or show other signs of disease, see your dentist immediately, and follow his directions for the use of Medisalt. Such a condition is a distinct danger sign, one which needs professional attention. Do not depend upon Medisalt or any other dentifrice to correct the trouble. See Your Dentist."

On October 6, 1933, the Carey Laboratories Corporation, Hutchinson, Kans., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it should not be disposed of in violation of the Federal Food and Drugs Act or any other laws.

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

21600. Misbranding of Masterol. U. S. v. Five 6-Ounce Bottles, et al., of Masterol. Default decree of condemnation and destruction.
(F. & D. no. 30591. Sample no. 17068-A.)

Examination of the drug product, Masterol, disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On June 15, 1933, the United States attorney for the Southern District of Iowa, acting on a report by the Secretary of Agriculture, filed in the district court a libel praying condemnation and seizure of five 6-ounce bottles, three 16-ounce bottles, and three 32-ounce bottles of Masterol at Shenandoah, Iowa, alleging that the article had been shipped in interstate commerce on or about February 13, 1933, by the Master Laboratories Inc., from Omaha, Nebr., 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 volatile oils (6 grams per 100 milliliters), including eucalyptol and menthol, and a small proportion of iodine dissolved in liquid petrolatum.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding its curative and therapeutic effects, were false and fraudulent: "Indicated in Respiratory Diseases of all Poultry."

On September 16, 1933, a motion to make the libel more definite and certain, filed by the respondents, the Henry Field Seed Co. and the Master Laboratories, was overruled. On October 17, 1933, the respondents having failed to answer or plead, judgment of condemnation 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.*