

further development, which representations were false and misleading since the device was not efficacious for the purposes for which it was so recommended.

On July 18, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

189. Misbranding of Vapo-Spa Vapor Bath. U. S. v. 20 Retail Packages of Vapo-Spa Vapor Bath. Consent decree of condemnation. Product released under bond to be relabeled. (F. D. C. No. 1786. Sample No. 1806-E.)

The packages of this product each contained a rubberized cloth garment, a device for producing vapors, a bottle of Vapo-Spa Pine Needle Oil, and circulars. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On April 10, 1940, the United States attorney for the District of Columbia filed a libel against 20 retail packages of Vapo-Spa Vapor Bath at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about February 10 and March 4, 1940, by the Health-Glo Laboratories, Inc., from New York, N. Y.; and charging that it was misbranded.

Examination of the liquid showed that it consisted essentially of pine-needle oil.

The article was alleged to be misbranded in that its labeling bore representations that it was efficacious as a scientific aid to slenderizing, would stimulate and cleanse respiratory tracts when the vapor was inhaled, and would help to relieve grippe, would aid the vapor to remove bacteria-laden dust carrying millions of unseen micro-organisms picked up by the skin and body every day; that it was a scientific aid to good health, was a new health and beauty sensation which would help to guard the health and keep one physically fit, would reduce over-weight, take inches off the waist, and purify the blood; that the respiratory tracts were reached by the beneficial vapor, and that it would help to relieve insomnia, arthritis, lumbago, and many other ailments, would loosen phlegm, and help break up local congestion in the air passages, and would materially help drive cold germs from the system, congestion from the throat and lungs, and stiffness and soreness from the entire body, were false and misleading since the article would not be efficacious for the purposes recommended.

On May 8, 1940, the Health-Glo Laboratories, Inc., 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 that the product be released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

THERAPEUTIC LAMPS AND HEAT PACKS

190. Misbranding of therapeutic lamps. U. S. v. 12 Therapeutic Lamps with Bulb. Default decree of condemnation and destruction. (F. D. C. No. 1746. Sample No. 437-E.)

This device consisted of an incandescent bulb fitted into a reflector attached to a wooden handle. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On April 3, 1940, the United States attorney for the Northern District of Georgia filed a libel against 12 therapeutic lamps at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about January 19 and February 7, 1940, by the Rodale Manufacturing Co. from Emaus, Pa.; and charging that it was misbranded.

It was alleged to be misbranded in that its labeling bore representations that it was efficacious in the treatment of colds, headaches, backaches, chest inflammation, rheumatism, lumbago, neuralgia; that its regular application for a few minutes a day would do wonders for the health; that it would invigorate tissue and that once the tissue is exposed to the rays nature itself promotes healing and cures by increased circulation, which representations were false and misleading since it was not efficacious for such purposes.

On April 20, 1940, no claimant having appeared, judgment of condemnation was entered and the article was ordered destroyed.

191. Misbranding of infra-red therapeutic lamps. U. S. v. 19 Mastercraft Infra-Red Therapeutic Lamps Type No. 62. Default decree of condemnation and destruction. (F. D. C. No. 1349. Sample Nos. 84842-D, 84843-D.)

This device consisted of a table model reflector lamp fitted with an incandescent bulb. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about January 15, 1940, the United States attorney for the Eastern District of Missouri filed a libel against 19 of the above-named devices at St.

Louis, Mo., alleging that the article had been shipped in interstate commerce on or about October 20 and November 25, 1939, by the Northern Electric Co. from Chicago, Ill.; and charging that it was misbranded.

The device was alleged to be misbranded in that its labeling bore representations that it would help one to fight aches and pains with nature's soothing healing rays from the sun; that from the flaming disk of the sun are cast forth the mysterious infra-red rays without which life on this planet would be impossible; that such rays penetrate deep into the flesh, stimulate the nerves, and cause greatly increased circulatory action which destroys infections, rebuilds diseased tissues, and promotes bodily health and vitality; that the device would be efficacious in the treatment of backache due to weakness or fatigue, bladder trouble, bronchitis, catarrh, eczema, rheumatism, cramps, earaches, hysteria, lumbago, menstrual pains (dysmenorrhea), toothache, pain, neuralgia, neuritis, sleeplessness or insomnia and sciatica; that a catarrhal condition of the bladder would be relieved by a 10-minute application; that the device would afford a very prompt and effective treatment for colds in the head; that congestion would be broken up and inflammation relieved by applying the device to the blood vessels at the back of the head and along the spine; that general body treatments would be useful in stimulating the blood; and that with the application of the device heat rays penetrate down into the tissues, muscles, and even vital organs, bringing comfort and relief, which representations were false and misleading.

On February 9, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

192. Misbranding of infra-red lamps. U. S. v. 5 Infra-Red Lamps. Default decree of condemnation and destruction. (F. D. C. No. 1343. Sample No. 64982-D.)

This product consisted of a metal goose-neck table model reflector lamp fitted with a heating unit.

On January 12, 1940, the United States attorney for the Southern District of Ohio filed a libel against five infra-red lamps at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about December 28, 1939, by the F. C. Hermann Co. from Chicago, Ill.; and charging that it was misbranded. The article was labeled in part: "No. 21 Doctorheat Table Model Infra Red Lamp."

It was alleged to be misbranded in that the representations in the labeling regarding its use in the treatment of arthritis, asthma, boils, bronchitis, cold in chest, cold in head, earache, influenza, insomnia, neuritis, painful menstruation, pleurisy, pneumonia, sinus trouble, and sore throat, were false and misleading since the said article would have no therapeutic value beyond that produced by its warming effect and would not constitute an adequate treatment for the disease conditions named.

On March 15, 1940, no claimant having appeared, judgment of condemnation was entered and the article was ordered destroyed.

193. Misbranding of infra-red ray lamps. U. S. v. 95 Infra-Red Ray Lamps. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 1347. Sample No. 46744-D.)

This product was a table model lamp fitted with a heating element. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On January 17, 1940, the United States attorney for the Northern District of Illinois filed a libel against 95 infra-red ray lamps at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 20, 1939, from St. Louis, Mo., by the Knapp Monarch Co.; and charging that it was misbranded. It was labeled in part: "No. L-11-9 Modern Infra Red Ray Lamp."

It was alleged to be misbranded in that the labeling bore representations that the infra-red rays would penetrate deeply under the surface of the skin, forming heat units which would cause an excess accumulation of blood—this action being known as hyperemia; that it would produce beneficial chemical changes, increase nutrition, and cause the white corpuscles to destroy any microbes which might be present; that by producing hyperemia through the use of the infra-red rays, nature would be aided in the natural curative powers which reside in the blood; that daily repetition of the treatments would tend to restore normal conditions gradually; that the circulation of the skin would become more ac-