

4080. Misbranding of Fresh'nd-Aire humidifier. U. S. v. 26 Devices, etc.
(F. D. C. No. 34442. Sample No. 54460-L.)

LABEL FILED: December 17, 1952, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about October 22 and 30, 1952, by the Fresh'nd-Aire Co., Division of Cory Corp., from Chicago, Ill.

PRODUCT: 26 *Fresh'nd-Aire humidifiers* at Milwaukee, Wis., together with a number of leaflets entitled "How It Works" and "The Exciting New Fresh'nd-Aire Humidifier!"

The humidifier consisted of a tank which would hold 6 quarts of water and contained a fan which when plugged into the house electric line, would force air from the room to pass through a moistened filter pad. A small pump was incorporated in the device to circulate water over the filter pad and thus keep it moist.

LABEL, IN PART: (Device) "Fresh'nd-Aire Humidifier Model 700 * * * 60 Cycles 30 Watts"; (tag) "America's Newest Health Appliance Fresh'nd-Aire."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned leaflets which accompanied the devices were false and misleading. The statements represented and suggested that the device would provide an adequate and effective treatment for preventing coughs, colds, dry, cracked skin, respiratory ailments, stopped-up nose, difficult breathing, dry, drawn skin, hay fever, and asthma, whereas the device would not provide an adequate and effective treatment for preventing such conditions.

DISPOSITION: May 19, 1953. The Fresh'nd-Aire Co., Division of Cory Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released under bond to be brought into compliance with the law, under the supervision of the Department of Health, Education, and Welfare. The devices were relabeled.

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PRODUCTS

	N. J. No.		N. J. No.
Alcohol, isopropyl, rubbing compound.....	4074	Devices.....	4075, 4080
Alfalfa concentrate capsules.....	4072	Dextro-amphetamine sulfate tablets.....	4061, 4063-4068
Amphetamine, dextro-, sulfate tablets.....	4061, 4063-4068	Diethylstilbestrol tablets.....	4067
Androgenic substances.....	4066	Duodex capsules.....	¹ 4076
Antuls tablets.....	4071	Estrogen tablets, conjugated.....	4065
Arthritis, remedies for. <i>See</i> Rheumatism, remedies for.		Estrogenic substances.....	4065, 4067
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C-Tone.....	4073	Fresh'nd-Aire humidifier.....	4080
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Clinical thermometers.....	4075	Humidifier, Fresh'nd-Aire.....	4080
Conjugated estrogen tablets.....	4065	Isopropyl alcohol rubbing compound.....	4074
Cordial Matisura.....	4069	Lozenges of Sulfonamets with Topicaïne.....	4068

¹ (4076) Seizure contested.

U. S. Department of Health, Education, and Welfare
FOOD AND DRUG ADMINISTRATION

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD,
 DRUG, AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

4081-4100

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. Published by direction of the Secretary of Health, Education, and Welfare.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *March 22, 1954.*

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* For presence of a habit-forming narcotic without warning statement, see Nos. 4085, 4087; omission of or unsatisfactory, ingredients statements, Nos. 4083, 4085, 4087; sale under name of another drug, No. 4084; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 4083, 4085-4087; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 4083, 4086, 4087.