

SHIPPED: Between 9-30-53 and 12-4-53, from Michigan to Illinois and Indiana.

ACCOMPANYING LABELING: Leaflets entitled "The Polorator Application and Instructions," "Only the Polorator has Twin Pole Vibrators with Soothing Heat," "This is a distributors' confidential bulletin," "An Entirely New Low Priced Instrument for Beauticians," charts bearing the words "Zone Therapy Chart," books entitled "Stories the Feet Can Tell," and display placards reading in part "Free Massage over these areas," "Try Now! this 3 Minute Test," "The Polorator World's Most Flexible Massager," "Polorator, Double action massage with mild heat."

RESULTS OF INVESTIGATION: Each device was found to consist essentially of a housing containing electromagnetic coils that would operate two vibrating metal knobs protruding from the housing.

CHARGE: 502 (a)—the labeling of the device when shipped contained false and misleading representations that the device would provide an adequate and effective treatment for all ailing conditions, chronic conditions, eyestrain, migraine headaches, sore gums, bronchitis, gas pains, ulcers, constipation, summer complaint, prostate trouble, female trouble, nervous and physical tensions, sinus conditions, arthritis, neuritis, overweight, fibrous swelling or infiltration in the interior of the body, bony or cartilaginous growth in the joints, tired, droopy feeling, poor circulation, aching joints, bursitis, kidney conditions, gallbladder conditions, muscular and organic disturbances, hay fever, asthma, congestion of the appendix, ileocecal valve conditions, pneumonia, conditions affecting the spleen, anemia, glaucoma, deafness, sore throat, enlarged tonsils, thyroid conditions, exophthalmic goiter, glandular trouble, enlarged prostate, diabetes, eczema, heart conditions, liver conditions, varicose veins, Bright's disease, dropsy, lumbago, apoplexy, rectal disorders, hemorrhoids, prolapsed rectum, and inflammation of the bladder.

PLEA: Guilty.

DISPOSITION: 1-27-55. Defendant fined \$500 and placed on probation for 2 years.

DRUGS FOR VETERINARY USE

4600. Veterinary drug preparations. (F. D. C. No. 35573. S. Nos. 20-645/9 L, 64-431 L.)

INFORMATION FILED: 11-4-54, E. Dist. Wis., against Dr. David Roberts Veterinary Co., Inc., Waukesha, Wis., and Frank L. Roberts, president.

SHIPPED: Between 2-26-52 and 5-1-53, from Wisconsin to Minnesota and Oregon.

LABEL IN PART: (Carton) "Dr. David Roberts Diuretic Prescription No. 84 [or "Special Rx No. 63 For Livestock at Breeding Time"]," "Dr. David Roberts Herd Iron Tonik for Cows [or "Sheep"]," "Dr. David Roberts Worm Seed Rx No. 89," and "Dr. David Roberts Udder Rx No. 20 for Cows An Aid In the Treatment of Mastitis."

ACCOMPANYING LABELING: Leaflets entitled "Full Line of Veterinary Medicines"; booklets entitled "The Practical Home Veterinarian"; leaflets entitled "Take Good Care of Your Livestock and Your Livestock Will Take Care of You"; and booklets entitled "The 1953 Cattle Specialist."

CHARGE: 502 (a)—the accompanying labeling of the articles when shipped contained false and misleading representations that *Diuretic Prescription No. 84* was an adequate and effective treatment for faulty kidney action in all animals, red water in cattle, azoturia or paralysis of the hind parts, and

kidney disease in horses; that *Special Rx No. 63 For Livestock at Breeding Time* was an adequate and effective treatment for breeding troubles of cows, mares, and sows; for slow breeders or failure to conceive in cows; for slow breeding or failure to conceive in mares; and for abortion ("Sows Losing Pigs") in sows; that it would stimulate breeding in cows, mares, and sows, and would act as a tonic and a regulator for the genital organs of livestock; that *Herd Iron Tonik for Cows* was an adequate and effective treatment for cows not doing well, overworked cows, eye diseases, fistula, genital organ disorders, superficial itch and skin diseases such as eczema and mange, lump jaw or actinomycosis, warts of cattle, calf scours in nursing calves when administered to the cows, inflammation of the testicles of bulls, and sleeping sickness in horses; and that it was an adequate and effective preventive against bloat and ketosis (acetonemia) in cattle and would restore cattle to a normal, healthy condition regardless of the condition before using, keep herds of cattle profitable, healthy, and producing at top quality, aid digestion, tone up the system, promote vigor, build up the quality of the blood, and restore a normal flow of milk in cows; that *Herd Iron Tonik for Sheep* was an adequate and effective treatment for catarrhal fever and colds, indigestion, pregnancy, lambing disease, foot rot, and lung worms, and that it would restore nervous, rundown, or unthrifty sheep to a normal, healthy condition, and would keep flocks of sheep profitable; that *Worm Seed Rx No. 89* was an adequate and effective treatment for removing bots from horses and all species of worms from livestock and poultry; and that *Udder Rx No. 20 for Cows* was an adequate and effective treatment for mastitis and other disease conditions of the udders of cows.

The labeling of *Worm Seed Rx No. 89* was also misleading in that the reference on the carton label to the ingredients, American worm seed (chenopodium) and tobacco dust (nicotine), was misleading in that the ingredients were not present in such proportions as to be of therapeutic significance when the article was administered as directed, and in that the article was designated by a name which included the name of one of the ingredients of the article but did not include the names of all of the ingredients.

PLEA: Guilty.

DISPOSITION: 2-7-55. Corporation fined \$1,500; individual fined \$200.

INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 4581 TO 4600

PRODUCTS

	N. J. No.		N. J. No.
Acephenacil No. 5.....	¹ 4593	d-desoxyephedrine, elixir.....	¹ 4593
Anterior pituitary aqueous extract (veterinary preparation)	4585	Devices	¹ 4590, ² 4591, 4599
Anti-Bacterial Root Canal Cement.....	4583	Diuretic Prescription No. 84, Dr. David Roberts (veterinary preparation)	4600
Arthritis, remedy for. <i>See Rheumatism, remedy for.</i>		EE-Sterilizer device.....	¹ 4590
Bursitis, remedy for. <i>See Rheumatism, remedy for.</i>		Eyewash, Ocu-Lav.....	4594
C-Tone.....	² 4595	Glanosol	4587
		Gout, remedy for. <i>See Rheumatism, remedy for.</i>	

¹ (4581, 4590, 4592, 4593, 4596) Injunction issued.

² (4595) Prosecution contested. Contains opinion of the court.

³ (4591) 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]

4601-4640

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs which are required at time of interstate shipment to bear a label containing the statement "Caution: Federal law prohibits dispensing without prescription," and which were dispensed after such shipment without a prescription or by refilling a prescription without authorization. This dispensing was contrary to Section 503 (b) (1), and thereby resulted in the dispensed drugs being misbranded while held for sale.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *April 5, 1956.*

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