

"The Court will therefore deny the motion for the convening of a three-judge court and will grant the motion of defendants for summary judgment."

Appropriate orders were entered by the court.

**5319. Neu-Clear Therapy Electronic Condensator (2 seizure actions).** (F. D. C. Nos. 39643, 39644. S. Nos. 19-508/9 M.)

**QUANTITY:** 2 devices and various accessories at Portsmouth and New Boston, Ohio.

**SHIPPED:** 12-12-55 and 1-1-56, from Detroit, Mich., by Colo Products, Inc.

**LABEL IN PART:** (Device) "Neu-Clear Therapy Electronic 'Condensator' Generating 'Fluid' Electricity."

**ACCOMPANYING LABELING:** Booklet entitled "Holder's Electronic High-Frequency Condensator Operating Instructions."

**RESULTS OF INVESTIGATION:** The device consisted of an electronic, high-voltage oscillator and a group of glass electrode applicators. The electrodes were gas-filled and produced a glow discharge during application. The radio frequencies emanating were of such low power and low frequency as to have negligible absorption in the body.

**LIBELED:** 10-23-56, S. Dist. Ohio.

**CHARGE:** 502 (a)—the labeling accompanying the device, when shipped, contained false and misleading representations that the device was effective for locating trouble areas and toxic conditions and for determining the seriousness of the conditions; for treating all body ailments, including ailments of the eyes, ears, throat, tonsils, teeth, face, heart, lungs, liver, gallbladder, kidney, pancreas, spleen, stomach, bowels, anus, rectum, breasts, ovaries, uterus, vagina, cervix, brain, and frontal sinus; and for treating abscess, anemia, arthritis, rheumatism, paralysis, hay fever, hemorrhoids, varicose veins, leg ulcers, multiple sclerosis, mucous colitis, malnutrition, pain, influenza, indigestion, head noises, and allergic conditions due to a large variety of products.

**DISPOSITION:** 11-30-56. Default—destruction.

#### DRUG FOR VETERINARY USE

**5320. King Castle Complete Minerals.** (F. D. C. No. 40080. S. No. 56-719 M.)

**QUANTITY:** 77 50-lb. bags at Lancaster, Wis.

**SHIPPED:** 2-21-56, from Marion, Iowa, by Marion Feed Center.

**LABEL IN PART:** (Bag) "King Castle Complete Mineral \* \* \* 1,000,000 U. S. P. Units of Vitamin D<sub>2</sub> Packed in Each 100 Lbs."

**RESULTS OF INVESTIGATION:** Analysis showed that the article contained less than 50 percent of the declared amount of vitamin D<sub>2</sub>.

**LIBELED:** 4-12-57, W. Dist. Wis.

**CHARGE:** 501 (c)—the strength of the article, when shipped, differed from that which it purported and was represented to possess; and 502 (a)—the label statement "1,000,000 U. S. P. Units of Vitamin D<sub>2</sub> Packed in Each 100 Lbs." was false and misleading.

**DISPOSITION:** 5-9-57. Default—consumption by animals.