2438. Misbranding of Nascent Haloid Vapor Generator device. U. S. v. 1 * * *. (F. D. C. No. 24395. Sample No. 31707–K.)

LIBEL FILED: December 30, 1947, Southern District of California.

ALLEGED SHIPMENT: Between the approximate dates of March 28 and April 26, 1947, by Rittenhouse & Revere, Inc., from Albuquerque, N. Mex.

PRODUCT: 1 device known as *Nascent Haloid Vapor Generator* at Los Angeles, Calif. Examination showed that the device was designed to produce gas by electrolysis of a salt solution. Analysis showed that the gas produced contained chlorine and did not contain hydrogen chloride.

LABEL, IN PART: "Nascent Haloid Vapor Germicidal Respiratory Therapy."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in an instruction manual shipped with the device were false and misleading since they represented and suggested that the gas produced by the device was not chlorine, but was hydrogen chloride; and that the inhalation of gas produced by the device was effective for germicidal respiratory therapy and in the treatment of sinus infections, acute and chronic rhinitis, common colds, asthma, bronchitis, hay fever, internal infections, unlocated foci of infection, arthritis, and rheumatism. The gas produced by the device contained chlorine, and inhalation of gases from the device was not effective for the conditions represented.

DISPOSITION: May 19, 1948. Rittenhouse & Revere, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the device was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

2439. Misbranding of Vacuum Stimulator device. U. S. v. 2 * * *, etc. (F. D. C. No. 24140. Sample No. 30051–K.)

LIBEL FILED: December 1, 1947, District of Arizona.

ALLEGED SHIPMENT: On or about October 14, 1947, by the Ricard Mfg. Co., from Omaha, Nebr.

PRODUCT: 2 cartons each containing 1 device known as a *Vacuum Stimulator*, or "Prostate Gland Stimulator," at Phoenix, Ariz., together with two instruction sheets entitled "Instructions for Using our Vacuum Stimulator to the Male Organ" and two circulars entitled "If You are young and robust, 'full of Pep' Don't Read This!" Examination showed that the device consisted of a clear plastic cylinder, one end of which was equipped with a soft rubber ring and the other end closed by a hand-operated vacuum pump.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars and instruction sheets were false and misleading, since they represented and suggested that the device was effective to overcome impotence and was effective in the treatment of disorders of the male sexual organs, whereas the device was not effective for such purposes.

DISPOSITION: April 6, 1948. Default decree of condemnation and destruction.

2440. Misbranding of Therm-Aire heated bed pad. U. S. v. 15 Pads, etc. (F. D. C. No. 24218. Sample No. 12618–K.)

LIBEL FILED: December 31, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 23, 1947, by the Therm-Aire Equipment Co., from Nashville, Tenn.

PRODUCT: 15 twin-size and 24 full-size *Therm-Aire heated bed pads* at Philadelphia, Pa., together with certain circulars enclosed in the boxes containing the devices. Examination showed that the devices were electrically heated bed pads.

LABEL, IN PART: (Circular entitled "Sleep Your Way to Health and Beauty") "The New Therm-Aire Heated Bed Pad Brings Quick Relief From Nerve Tension so Essential in Keeping up to Par * * * Keep Your health up to par * * * concentrated where it is needed most * * * along * * * center of the nervous system * * * Therm-Aire insures * * * release of nerve tension"; (circular entitled "Sleep Your Way to Health with Therm-Aire") "provides heat * * * along * * * central nervous system * * * supplying the body with heat energy so essential for maintaining good health."

NATURE OF CHARGE: Misbranding, Section 502 (a), the above-quoted and similar statements in the labeling of the article were false and misleading. These statements represented and suggested that with the use of the device, heat would be concentrated along the center of the nervous system and that the