

DISPOSITION: July 11, 1949. Default decree of condemnation. One dozen of the devices were ordered delivered to the Food and Drug Administration, for experimental and exhibition purposes, and the remaining devices were ordered destroyed.

2827. Misbranding of Vibro-Sazh devices. U. S. v. 10 Cartons * * *.
(F. D. C. No. 27264. Sample No. 19350-K.)

LIBEL FILED: May 23, 1949, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 27, 1949, by Vibrosazh, Inc., from Faribault, Minn.

PRODUCT: 10 cartons each containing a device known as *Vibro-Sazh* and a circular entitled "Glowing Health with Vibro-Sazh" at Cleveland, Ohio. This product was essentially a vibrating and massaging device. It consisted of a cup-shaped device to be attached to the hose of a vacuum cleaner, so that the flow of air would cause a vibration.

LABEL, IN PART: (Circular) "Glowing Health With Vibro-Sazh * * * Vibro-Sazh Health Vibrator introduces New Air Method Of Vibration and Massage."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circular were false and misleading since the device would not fulfill the promises of benefit stated and implied. The statements represented and suggested that the device would enable one to have glowing health; that it would be efficacious in the cure, mitigation, and treatment of the discomforts of lumbago, sinus, rheumatism, arthritis, and muscular aches and pains due to poor circulation; that it would take off unwanted and unsightly pounds and replace them with healthy firm tissue; that it would stimulate the circulation in the deeper tissue and aid in the removal and discharge of waste products, such as fatigue acids and tissue debris; that it would promote increased circulatory action; that it would melt away excessive fatty tissue, induce sleep, and aid in the removal of wrinkles, crow's feet, and double chin; that it would stimulate growth of firm tissue where added fullness was desired; that it would help to bring about a better supply of fresh blood; that it would comfort and sooth jittery, strained, and overworked nerves and muscles; that it would relieve ordinary headaches, dull sinus pains above the eyes, and head and chest colds; that it would help to promote sound sleep and would be of great help in the treatment of many disabilities; that it would be of real value in most types of convalescence; that it would be a big factor in restoring one's body to youthful freshness; and that it would be efficacious in the cure, mitigation, and treatment of nervousness, backaches, insomnia, and aches and pains in the back, arm, and shoulder muscles.

DISPOSITION: July 15, 1949. Default decree of condemnation and destruction.

2828. Misbranding of Happy Jack Sarcoptic Mange Medicine. U. S. v. 23 Cartons, etc. (F. D. C. No. 27186. Sample No. 3276-K.)

LIBEL FILED: May 5, 1949, District of Maryland.

ALLEGED SHIPMENT: On or about April 8, 1949, by Happy Jack, Inc., from Farmville, N. C.

PRODUCT: *Happy Jack Sarcoptic Mange Medicine*. 23 cartons, each containing 1 10-ounce bottle, and 10 cartons, each containing 1 24-ounce bottle, at Baltimore, Md. Analysis showed that the product contained carbolic acid (0.6%), pine tar oil, turpentine oil, sulfur, and clay in a mixture of vegetable oil and fish oil.

LABEL, IN PART: "Happy Jack Sarcoptic Mange Medicine."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the articles and in a circular enclosed with the article were false and misleading. These statements represented and suggested that the article when used as directed was safe and effective in the treatment of diseases of the skin of dogs and other animals, whereas the article when applied to the entire surface of the dog was not safe, and when used as directed it was not effective in the treatment of diseases of the skin of dogs and other animals.

Further misbranding, Section 502 (a), certain statements in the circulars were false and misleading. These statements represented and suggested that the article would be effective for use by humans in the treatment of dandruff, eczema, and falling hair, and that it would be effective in promoting a healthier scalp and hair texture, whereas the article would not be effective for such purposes.

DISPOSITION: June 7, 1949. Default decree of condemnation and destruction.

DRUGS FOR VETERINARY USE*

2829. Misbranding of Dr. Gibbons' Tendene and Dr. Gibbons' Wonder Red. U. S. v. 4 Bottles, etc. (F. D. C. No. 27215. Sample Nos. 31925-K to 31927-K, incl.)

LIBEL FILED: May 17, 1949, Southern District of California.

ALLEGED SHIPMENT: Between the approximate dates of August 30, 1948, and January 11, 1949, by Dr. P. H. Gibbons, from Omaha, Nebr.

PRODUCT: 4 1-pint bottles of *Dr. Gibbons' Tendene* and 87 1-pint bottles of *Dr. Gibbons' Wonder Red* at Los Angeles, Calif. Analyses disclosed that *Dr. Gibbons' Tendene* consisted essentially of cedar oil, camphor oil, turpentine oil, iodine, potassium iodide, alcohol approximately 13 percent, and chloroform approximately 29 percent, and that *Dr. Gibbons' Wonder Red* consisted essentially of azosulfamide, starch, and water.

NATURE OF CHARGE: *Dr. Gibbons' Tendene*. Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading since the article was not effective in the prevention or treatment of the disease conditions of horses stated and implied: (Bottle label) "A Practical Treatment for * * * Glandular Swelling" and (circular attached with a rubber band to some of the bottles) "A Convenient, Modern Way to Treat Lameness Without Bandages * * * stands alone as a treatment for stifle trouble. It is used on all swellings of the horse regardless of cause. * * * For Suspensory Ligament Trouble: * * * For Shoulder Lameness: * * * For Ankle Lameness, Swelling and Osslets: * * * For Sore Throat or any Swelling on Body: * * * Bursitis." Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of the active ingredients contained therein since "oleum cedralae" and "oil terbinth" are not the common or usual names of cedar oil and turpentine oil; and its label failed also to bear the quantity, kind, and proportion of alcohol, and the name and quantity or proportion of chloroform, contained in the article.

Dr. Gibbons' Wonder Red. Misbranding, Section 502 (a), the following statements on the label of the article were false and misleading since the article when used as directed was not effective in the treatment of the disease condi-

*See also No. 2828.