DISPOSITION: February 11, 1953. Default decree of condemnation. The court ordered that a portion of the product be delivered to the Federal Security Agency and that the remainder be destroyed.

3990. Misbranding of Color-Therm device. U. S. v. 1 Device * * *. (F. D. C. No. 34398. Sample No. 43845-L.)

LIBEL FILED: December 8, 1952, Western District of Oklahoma.

ALLEGED SHIPMENT: Prior to December 8, 1952, from Mission, Kans., by E. K. Kusch, who had rented or purchased the device from Fred Gerkey.

PRODUCT: One *Color-Therm device* at Fairview, Okla. The device consisted of a unit with six U-shaped tubes and a hand applicator with one straight and two U-shaped tubes for producing colored lights, similar to the so-called neon lights, with electrical connections to operate them.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the device failed to bear adequate directions for use for the purposes for which it was intended, namely, liver trouble, ulcers, high blood pressure, and other diseases.

DISPOSITION: February 3, 1953. Default decree of condemnation. The court ordered that the device be delivered to the Food and Drug Administration.

3991. Misbranding of Color-Therm device. U. S. v. 1 Device * * *. (F. D. C. No. 34401. Sample No. 16497-L.)

LIBEL FILED: On or about December 11, 1952, Northern District of Oklahoma.

ALLEGED SHIPMENT: On or about January 21, 1952, by Fred Gerkey, from Mission, Kans.

PRODUCT: One *Color-Therm device* at Sapulpa, Okla. The device consisted of a unit with six U-shaped tubes and a hand applicator with one straight and two U-shaped tubes for producing colored lights, similar to the so-called neon lights, with electrical connections to operate them.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the device failed to bear adequate directions for use for the purposes for which it was intended, namely, arthritis, rheumatism, and other diseases.

DISPOSITION: December 31, 1952. Default decree of condemnation. The court ordered that the device be dismantled and that any parts of use in the commercial field be sold.

3992. Misbranding of ultrasonic device. U. S. v. 1 Device * * *. (F. D. C. No. 34468. Sample No. 62314-L.)

LIBEL FILED: January 6, 1953, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 14, 1952, by the Porter Co., from Mt. Vernon, Ill.

PRODUCT: One *ultrasonic device* at Potosi, Mo., together with a booklet designated as "Porter Ultrasonics Treatment Chart." The device was classed as an ultrasonic vibrator since it gave off mechanical vibrations at a frequency far above the range of audible sound.

LABEL, IN PART: (Device) "The Porter Co. Mt. Vernon, Ill. Model 4 Serial 104."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the booklet accompanying the device were false and misleading. The statements represented and suggested that the device would provide an adequate and effective treatment for abscesses, adnexitis, angina pectoris, arthritis, asthma,