

**CHARGE:** 502(a)—when shipped, the labeling of the articles contained false and misleading representations that the *electric massage pillows* were an adequate and effective treatment for reducing fatty spots and unsightly bulges, relieving aches due to muscular strain, easing nervous tension, increasing blood circulation, and for trimming the figure; that the *Travel-Mate pillows* were an adequate and effective treatment for stimulating circulation, firming up flesh, reducing unsightly bulges, and trimming the figure; and that the *Vibra-Therm pillows* were an adequate and effective treatment for spot reducing, relieving muscle ache, easing tension, stimulating blood circulation to carry away excess fatty tissues, and slimming and trimming the figure.

**DISPOSITION:** 8-9-58. Consent—claimed by Edson, Inc., and released for relabeling. The *electric massage pillows* and *Vibra-Therm pillows* were relabeled and the vibrating mechanisms of the *Travel-Mate massage pillows* were removed and dismantled in lieu of relabeling such pillows.

**5740. Electric vibrator pillow. (F.D.C. No. 41791. S. No. 25-229 P.)**

**QUANTITY:** 18 devices at Madison, Wis.

**SHIPPED:** 3-28-58, from Chicago, Ill., by P. J. Gould Co.

**LABEL IN PART:** (Ctn.) "Tailorized Tru Fit Electric Vibrator Pillow Helps Massage Away Excess Pounds - Relaxes and Eases Nervous Tension \* \* \* P. J. Gould Co., Chicago, Ill."

**RESULTS OF INVESTIGATION:** The label indicated that the device was a corduroy-covered polyether foam-filled cushion containing an electric motor capable of providing vibration action.

**LIBELED:** 6-4-58, W. Dist. Wis.

**CHARGE:** 502(a)—the label of the article, when shipped, contained false and misleading representations that the device was an adequate and effective treatment for reviving sore and tired muscles, relaxing and easing nervous tension, and massaging away excess pounds.

**DISPOSITION:** 6-27-58. Default—delivered to the Food and Drug Administration.

## INDEX TO NOTICES OF JUDGMENT D.D.N.J. NOS. 5701 TO 5740

### PRODUCTS

	N.J. No.		N.J. No.
Adhesive bandages. See Bandages.		Chereshfresh (cherry juice)-----	5732
Ake-Ese tablets-----	5709	Chorionic gonadotropine-----	5719, 5720
Aminophylline tablets-----	5707	Clarimycin-----	5702
Arben capsules-----	5721	Clinical thermometers-----	5728
Arthritis, remedies for. See Rheumatism, remedies, for.		Cosmetic (subject to the drug provisions of the Act)-----	5712
Aspirin tablets-----	5708	Crema ointment-----	5712
Bandages-----	5727	DPS Formula Lipotrate tablets--	5734
Beef, iron, and wine preparation--	5726	Darcopherol tablets-----	5733
Bursitis, remedies for. See Rheumatism, remedies for.		De-em timed capsules-----	5707
Castile soap-----	5713	Del-Bardex capsules-----	5722
		Devices-----	5717, 5728, 5736-5740
		vibrator-----	5738-5740



**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS  
REPORTED IN D.D.N.J. NOS. 5741-5780**

*Adulteration*, Section 501(b), the article purported to be and was represented as a drug, the name of which is recognized in an official compendium (United States Pharmacopeia), and its strength differed from, and its quality and purity fell below, the standard set forth in such compendium; and Section 501(c), the article was not subject to the provisions of Section 501(b), and its strength differed from, or its purity or quality fell below, that which it purported or was represented to possess.

*Misbranding*, Section 502(a), the labeling of the article was false and misleading; Section 502(b), the article was in package form and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; Section 502(e)(2), the article was a drug not designated solely by a name recognized in an official compendium and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient including the quantity and kind of alcohol; Section 502(f), the labeling of the article failed to bear (1) adequate directions for use, and (2) adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users; Section 502(1), the article was, or purported to be, or was represented as, a drug composed wholly or partly of tetracycline, a derivative of chlortetracycline, and it was not from a batch with respect to which a certificate or release had been issued pursuant to Section 507; Section 503(b)(1), the article was dispensed without a prescription from a practitioner licensed by law to administer the article; Section 503(b)(4), the article was a drug subject to Section 503(b)(1), and its label failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

**DRUGS REQUIRING CERTIFICATE OR RELEASE, FOR WHICH NONE  
HAD BEEN ISSUED**

**5741. Achromycin capsules.** (F.D.C. No. 42171. S. No. 4-823 P.)

**QUANTITY:** 2 btls. containing a total of 419 *Achromycin capsules* at Greenbelt, Md., in possession of State Drugs, Inc. (Greenbelt Pharmacy).

**SHIPPED:** The capsules were manufactured in the State of New York, and delivered to the dealer at Greenbelt, Md., by an unknown person, sometime prior to 6-24-58.

**LABEL IN PART:** (Btl.) "Greenbelt Pharmacy \* \* \* 131 Centerway Greenbelt, Md. No. — Dr. — Achromycin 'V'."

**RESULTS OF INVESTIGATION:** The article was in the form of physicians' samples when delivered to the dealer, and after such delivery the article was repackaged into the above-mentioned bottles.

Analysis showed that the article contained approximately 250 milligrams of tetracycline per capsule.

**LIBELED:** 9-4-58, Dist. Md.

**CHARGE:** 502(b)(2)—the label of the article, while held for sale, failed to bear an accurate statement of the quantity of contents; 502(e)(2)—the label of