

**LIBELED:** 9-26-60, M. Dist. Ga.

**CHARGE:** 502(f) (1)—while held for sale, the labeling of the articles failed to bear adequate directions for use, and the articles were not exempt from such requirement.

**DISPOSITION:** 6-1-61. Ronald G. Shawver, claimant, having filed an answer denying that the articles were misbranded and later having requested that such answer be dismissed, which request was allowed, judgment of condemnation was entered and the articles were destroyed.

**6592. Mercier's radioactive device.** (F.D.C. No. 45456. S. No. 49-319 R.)

**QUANTITY:** One device at Albuquerque, N. Mex.

**SHIPPED:** In 1954, from Phoenix, Ariz., by Mercier Laboratories.

**LABEL IN PART:** "Atomic Energy Applicator Intent of Energy Producing Applicator to Perfect the Chemistry of the Living Substance. Disease Will Disappear in Proportion to the Chemistry Correction."

**RESULTS OF INVESTIGATION:** The article consisted of a wooden base into which a lead foil-covered cylinder was fitted. In use, a radioactive material was placed in the cylinder between the wire inner wall and the lead foil outer wall. Examination with a Geiger counter showed a reading over the open end of the cylinder of 2.0 milliroentgen units per hour (beta radiations).

**LIBELED:** 2-2-61, Dist. N. Mex.

**CHARGE:** 502(a)—when shipped and while held for sale, the label contained false and misleading representations that the article was adequate and effective for perfecting the chemistry of the living substance and for correcting or curing disease conditions; 502(b) (1)—the device failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and 502(f) (1)—the labeling failed to bear adequate directions for use, since the article was worthless for any therapeutic purposes.

**DISPOSITION:** 3-3-61. Default—destruction.

**6593. Harmonizer device.** (F.D.C. No. 44421. S. No. 42-508 P.)

**QUANTITY:** One device at Lynnwood, Wash.

**SHIPPED:** 10-6-59, from Alhambra, Calif., by C. E. Harmon, D.C., t/a Sound Control Development Co.

**LABEL IN PART:** "'Harmonizer' Sound Control Development Co. Mach 09 117 Volt Ac 60 Cyl California."

**ACCOMPANYING LABELING:** Leaflets entitled "Harmonizer Instruction Chart," "Don't Give Up—Wake Up!!," and "Sound Control Development Co. Presents . . . The Harmonizer."

**RESULTS OF INVESTIGATION:** Examination indicated the device to be a box-shaped, portable cabinet fitted on the front with an instrument panel. The chassis within the cabinet, which consisted of a transformer, tubes, and other electronic components, was connected by an electric cord to the ordinary 110-115 volt house circuit. The unit was purported to be capable of emitting ultrasound, with the instrument panel controlling the "ultrasound frequency," "intensity," "audio-frequency," and "intensity variation." However, the available information indicated that the high and low frequency currents produced in the device were not converted to ultrasound energy.

**LIBELED:** 4-6-60, W. Dist. Wash.; amended libel 11-18-60.