

ACCOMPANYING LABELING: Pamphlets entitled, "Your Health Begins With Nature," "The Importance of Mountain Valley Water in Arthritic and Rheumatic Disorders," "The Importance of Mountain Valley Water in Kidney and Bladder Disorders," "Mountain Valley Water from Hot Springs, Arkansas, in Pregnancy and Care of Children," "The Story of Mountain Valley Mineral Water from Hot Springs, Arkansas," "Is Your Trouble Mineral Deficiency?," "Facts About Mountain Valley Mineral Water from Hot Springs, Arkansas," "Why Everyone Should drink Two Quarts of Water Each Day," "Helping to Stay Young Through Minerals," and "How Much Mountain Valley Mineral Water Should I Drink?"

LIBELED: 8-19-53, W. Dist. Tenn.

CHARGE: 502(a)—when shipped and while held for sale, the accompanying labeling of the article contained false and misleading representations that drinking of Mountain Valley Mineral Water as directed (8, seven- to eight-ounce glasses daily) constitutes an adequate and effective treatment for kidney disorders, kidney and bladder stones with persistent albuminuria and pyuria, pain following bladder operations, bladder conditions or disorders, urinary tract symptoms, cystitis, pyelitis, nephritis, urethritis, arthritis, rheumatism, neuritis, conditions giving rise to excess gastric acidity and indigestion, stomach ulcers, stomach disorders, faulty metabolism, tetany due to chronic diarrhea or disturbances of the parathyroid glands, chronic fatigue, nervous tension, aches and pains and mental sluggishness; that its use would insure good health, increase benefits the body obtains from such medicines as penicillin, insulin, and sulfonamide drugs, render the urine alkaline, eliminate irritating substances and toxic wastes in the system, insure proper kidney function during pregnancy, and prevent uremic poisoning during pregnancy.

The libel alleged also that the article was misbranded under the provisions of the law applicable to foods as reported in notices of judgment on foods, No. 26597.

DISPOSITION: The legal proceedings that occurred after the filing of the libel resulting in the entry of a decree of condemnation and destruction on the basis that the article was misbranded as a food, are reported in notices of judgment on foods, No. 26597.

6024. Buimassor massage device. (F.D.C. No. 43345. S. No. 70-243 P.)

QUANTITY: 12,826 individually cartoned devices at York, Pa.

SHIPPED: The article was imported by Institute de Synthese Bio-Esthetique, from Paris, France, and was shipped from Baltimore, Md., by R. G. Hobelman & Co., Inc., between 3-25-59 and 4-20-59, to Pennsylvania.

LABEL IN PART: (Ctn.) "Buimassor Clinic, Par Le Massage, Giratorie En Vadure, Successives."

ACCOMPANYING LABELING: Leaflets in carton entitled "Madam Et Mademoiselle:" and "A Thousand Year-Old Hindoo Method."

RESULTS OF INVESTIGATION: The article consisted of a plastic container (coral-colored bottom and ivory-colored top), in which 10 boxwood balls are inserted to a depth of more than one-half the diameter of the balls which rotate freely and easily in any direction with very little pressure. A plastic ivory-colored snap-on strap for rolling the device on one's back was enclosed with each device in an ivory-colored zippered plastic carrying case.

LIBELED: 8-11-59, M. Dist. Pa.

CHARGE: 502(a)—when shipped and while held for sale, the labeling which accompanied the article contained false and misleading representations that the article was an adequate and effective treatment of overweight; repropotioning the entire body; that it caused wave-like stimuli to penetrate the tissue and circulate fresh, lively blood; that it improved the appearance and vitality; that it literally “melts away” all fat quickly and causes fatty areas to disappear painlessly and simply, benefiting one’s health and restoring beauty, freshness, and youthfulness; would free one’s nervous center and eliminate fatigue; that use of the device over the abdominal area would banish constipation, stimulate and condition the intestinal reflexes, and eliminate toxins which poison the bloodstream; that it would banish headaches, a sallow complexion, rheumatic ailments and prevent premature aging; and that it would cause one to feel more peppy with lots more vim and vigor.

DISPOSITION: 10-21-59. Consent—claimed by Bio-Aesthetic Co. of America, Inc., York, Pa., and relabeled.

6025. Dynamic Massager and Tranqua Lounger. (F.D.C. No. 41975. S. Nos. 3-412/5 P.)

QUANTITY: 35 *Dynamic Massager* devices and 7 *Tranqua Lounger* devices at Norfolk, Va.

SHIPPED: Between 5-12-58 and 6-10-58, from New York, N.Y., by Dynamic Mfg. Corp.

LABEL IN PART: (Dynamic Massager or Dynamic Home Massager) “Dynamic Manufacturing Corporation, New York, N.Y. Style 21” [or “Model M”] and “Tranqua Lounger, Model 21” [or “Model M”].”

ACCOMPANYING LABELING: Leaflets entitled “How the Amazing Dynamic Massager,” “A New Way to a New You,” and “Editorial Medical Men Approve Massage.”

LIBELED: 8-8-58, E. Dist. Va.

CHARGE: 502(a)—when shipped and while held for sale, the labeling which accompanied the articles contained false and misleading representations that the “*Dynamic Massager*” was an adequate and effective treatment for toning up flabby, sagging stomach muscles for that slim, smart silhouette; obesity; arthritis; nervous tension; heart disease; insomnia; cramps associated with pregnancy; anemia; lumbago; rheumatoid syndrome; angina pectoris; and fractures and paralytic conditions; and that the “*Tranqua Lounger*” was an adequate and effective treatment for easing nervous tension, deep-down relief from muscular soreness and fatigue after strenuous sports, rheumatic or arthritic-type aches, obtaining a firmer, more youthful figure, reducing heart strain, providing new vim and vigor, aiding reducing, aiding blood circulation, for obesity, arthritis, nervous tension, heart disease, insomnia, cramps associated with pregnancy, anemia, lumbago, rheumatoid syndrome, angina pectoris, and fractures and paralytic conditions; and the name “*Tranqua Lounger*” was misleading since the name suggested that the device could provide tranquillizing and other therapeutic sedation whereas it was not capable of providing such sedation; and 502(b) (1)—the “*Tranqua Lounger*” device failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: 9-4-59. Consent—claimed by Dynamic Mfg. Corp., and relabeled.