

DISPOSITION: Between May 2 and June 27, 1946, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

2097. Misbranding of adhesive tape and adhesive bandages. U. S. v. 130 Packages of Adhesive Tape and 10 Packages of Adhesive Bandages. Default decree of condemnation and destruction. (F. D. C. No. 17546. Sample Nos. 23521-H to 23524-H, incl.)

LABEL FILED: February 26, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about April 18 and August 24, 1945, by the Gotham Aseptic Laboratory Co., Inc., from Long Island City, N. Y.

PRODUCT: 130 packages of *adhesive tape* and 10 packages of *adhesive bandages* at St. Louis, Mo. Examination showed that the articles were only slightly sticky when applied to the skin.

LABEL, IN PART: "Gotham Waterproof Adhesive Tape," or "Gotham Stickrite Adhesive Bandages Waterproof Sulfa-Thia-Zole Impregnated Gauze Pads."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Adhesive Tape" and "Adhesive Bandages" were false and misleading as applied to articles which possessed no significant adhesive properties.

DISPOSITION: April 4, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

2098. Misbranding of Spectro-Chrome. U. S. v. 1 Device Known as Spectro-Chrome, and a quantity of printed matter. Tried to the jury. Decree of condemnation. Product and printed matter ordered delivered to the Food and Drug Administration. (F. D. C. No. 13226. Sample No. 82254-F.)

LABEL FILED: August 11, 1944, Eastern District of New York; amended libel filed November 15, 1944.

ALLEGED SHIPMENT: On or about July 21, 1944, from Malaga, N. J., by the Dinshah Spectro-Chrome Institute.

PRODUCT: 1 device known as *Spectro-Chrome* at Babylon, N. Y., together with a quantity of accompanying printed matter. Examination showed that the device consisted of a cabinet equipped with an electrically-operated fan, a 1,000-watt electric light bulb, a glass water container, two condensing lenses, and several glass slides of various colors. The cabinet had an opening in the front in which the glass slides could be inserted and through which the light from the bulb would emit.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the device were false and misleading since they represented and suggested that the device was capable of measuring and restoring human radioactive and radioemanative equilibrium by attuned color waves, whereas there is no radio-active or radioemanative equilibrium in the human system, and the device was incapable of performing any function of measurement, and the use of color waves of any type would have no effect on human equilibrium.

Further misbranding, Section 502 (a), certain statements in the accompanying printed matter, including the printed matter entitled "Spectro-Chrome Home Guide," "Spectro-Chrome Way, 1944," and "Spectro-Chrome—In Every Home," were false and misleading since the statements represented and suggested that the device when used in accordance with the directions for use appearing in the printed matter would be effective in the treatment of the following diseases, conditions, and purposes, and that when so used the device would constitute a safe and appropriate treatment therefor: (diseases and conditions for which device was recommended) Disorders of the heart, lungs, skin, nutrition, mentality, and emotions; inflammation with pain, swelling, fever, or redness; disorders of blood, genitals, females, children, teeth, motor system, and sensory system; gonorrhoea, syphilis, ulcers, chancres, smallpox, scarlet fever, diphtheria, whooping cough, chickenpox, measles, German measles, mumps, fallen womb, habitual tendency to miscarriage, burns of any degree, sunstroke, diabetes, sex frigidity, accident, dog bite, eye disorder, ear abscess, mastoiditis, constipation, colds, gastritis, nervousness, ophthalmitis, rectal abscess, high blood pressure, poor circulation, tuberculosis, piles, varicose veins, aphonia, headache, hay fever, dizziness, sleeplessness, rash, poison ivy, stomach ulcers, sciatica, tachycardia, nosebleeding, lung hemorrhage, leg ulcer, prostate disorder, kidney disorder, tonsillitis, pleurisy, appendicitis, gout, pneumonia, tumors, leaky heart, hiccoughs, arthritis, rheumatism, cataract, X-ray and