The complaint alleged also that the defendant was well aware that his activities were violative of the Act; that he had been warned by a Notice of Hearing dated 7–27–53, and, in subsequent correspondence from the Food and Drug Administration, that the device was misbranded by the false and misleading statements in the accompanying labeling; and that despite such warnings, the defendant continued to introduce the misbranded device into interstate commerce.

DISPOSITION: 2–10–55. The defendant having consented, the court entered a decree of injunction perpetually enjoining the defendant from introducing into interstate commerce the *EE–Sterilizer device* or any other device of similar construction which was misbranded under 502 (a) or 502 (f) (1).

4591. Super Zone device. (F. D. C. Nos. 36542, 36544. S. Nos. 86–127/8 L.)

QUANTITY: 2 devices at Fort Collins, Colo.

SHIPPED: 11–14–52, from Los Angeles, Calif., by Super Zone Co.

LABEL IN PART: "Super Zone Co. Los Angeles, Calif. Model No. B Serial No. 123 [or "126"] 120 Volts 60 Cycles 2.0 Amperes."

ACCOMPANYING LABELING: Leaflet entitled "Connecting The Superzone Instrument."

RESULTS OF INVESTIGATION: In the operation of the device, oxygen was passed through the device, and the effluent gas, which included some ozone, produced by electrical discharge in the device, would leave the generating chamber through a hose attached to the applicator.

LIBELED: 5–4–54, Dist. Colo.

CHARGE: 502 (a)—the labeling of the device when shipped contained false and misleading representations that the device provided an adequate and effective treatment for infected sinus, asthma, sore throat, vaginitis, cervicitis, and internal hemorrhoids; and 502 (f) (1)—the labeling failed to bear adequate directions for use.

DISPOSITION: Theodore T. Josephson, t/a Super Zone Co., appeared as claimant. Pursuant to a stipulation entered into between the claimant and the United States attorney, the court, on 6–18–54, ordered that the action be removed to the United States District Court for the Northern District of California for trial.

On 7–23–54, the claimant filed an answer denying that the devices were misbranded as alleged. On 12–9–54, the claimant having filed a stipulation for the withdrawal of his claim and answer, the court entered a decree condemning the devices and ordering that they be permanently released to the custody of the Food and Drug Administration.

DRUG ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

4592. Pecan oil. (Inj. No. 266.)

COMPLAINT FOR INJUNCTION FILED: 7–8–54, N. Dist. Tex., against three corporations, namely, the Planters Cotton Oil Co., Weatherford Oil Refining and Distributing Co., and J. R. Fleming & Co., Inc., of Weatherford, Tex., and James R. Fleming, president of the corporations.

CHARGE: The complaint alleged that the defendants were engaged in the business of manufacturing, preparing, and distributing *pecan oil*, and had been and were, at the time of the filing of the complaint, causing the introduction