it would quickly relieve pain and discomfort of sore throat; that the light not only affected the surface but would reach the deep-seated pain affording relief in spinal or rectal irritation; and that application to the spine and back of neck would relieve the effects of mental or physical fatigue and would stop the pain of stiff neck, boils, carbuncles, ulcers and abscesses, etc., which representations were false and misleading since it was not efficacious for the purposes recommended.

On April 4, 1940, the Eagle Electric Manufacturing Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond on condition that it be relabeled to comply with the provisions of law.

196. Misbranding of heat and light applicators. U. S. v. 5 Thermolite Heat and Light Applicators. Default decree of condemnation and destruction. (F. D. C. No. 1566. Sample No. 77196–D.)

This device consisted of an incandescent electric bulb inserted into a socket and equipped with a parabolic mirror reflector. Its labeling fore false and misleading representations regarding its efficacy in the conditions indicated below.

On March 4, 1940, the United States attorney for the Eastern District of Virginia filed a libel against five heat and light applicators at Richmond, Va., alleging that the article had been shipped in interstate commerce on or about January 18, 1940, by H. G. McFaddin & Co., Inc., from New York, N. Y.; and charging that it was misbranded.

The device was alleged to be misbranded in that its labeling bore representations that it was efficacious for relief of almost any pain, sprains, bruises, neuralgia, lumbago, rheumatism, neuritis, stomach and abdominal pains, backache, constipation, headache, head and chest colds, affections of the ear, ulcerations, and burns; that it would cause colds and congestion in the head to yield readily; that an application on the spine upon retiring would usually induce slumber; that sunlight is nature's best stimulant for vitality, and that the rays of the device were "sunlike"; that it would promote the growth of hair and improve its appearance by stimulating the circulation, thus nourishing the roots in the scalp; that it was the best first aid, would relive pain and discomfort of sore throat, laryngitis, inflamed breast, ovarian neuralgia, menstrual irregularities, cramps, etc.; that the therapeutic value of radiant heat was greatly enhanced by its combination with radiant light and would reach deep-seated pain and afford relief in spinal or renal irritation, bruises, backache, lumbago, sciatica, and many other complaints; that it would relieve nervous tension of spine and nerve centers and induce restful sleep and would relieve aching arches, earache, and head colds by its deep penetrating heat, which representations were false and misleading since the device would not be efficacious for the purposes recommended.

On May 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

197. Misbranding of heat and light applicator. U. S. v. 15 Heat and Light Applicators. Default decree entered. Product ordered delivered to charitable institutions. (F. D. C. No. 1485. Sample No. 86167–D.)

This device consisted of an electric lamp inserted in a socket fitted with a metal reflector. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On or about February 16, 1940, the United States attorney for the District of Connecticut filed a libel against 15 heat and light applicators at New Haven, Conn., alleging that the article had been shipped in interstate commerce on or about September 11, 1939, by the Varick Electric Manufacturing Co., Inc., from New York, N. Y.; and charging that it was misbranded. It was labeled in part: "Varicure Heat and Light Applicator."

The device was alleged to be misbranded in that its labeling bore representations that its use was effective in the treatment of abscess, backache, colds, earache, eczema, lumbago, neuritis, neuralgia, rheumatism, skin diseases, and all pains caused by congestion and poor circulation; that for the hair, sunlight is nature's best stimulant for vitality, and that the sunlike rays of the device would promote its growth and improve its appearance by stimulating the circulation, thus nourishing the hair and scalp; and that it was beneficial in the treatment of any ailment, which representations were false and misleading since the device was not efficacious for the purposes recommended.

On April 26, 1940, no claimant having appeared, judgment was entered ordering distribution of the article to charitable institutions and destruction of the circulars which accompanied it.