

climacteric and functional insufficiency." Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use.

DISPOSITION: June 8, 1948. The Basic Endocrines Sales Co., Inc., having been permitted to withdraw its claim in the matter, judgment of condemnation was entered and the products were ordered destroyed.

2402. Misbranding of Electronic Device. U. S. v. 5 * * *. (F. D. C. No. 24176. Sample No. 6216-K.)

LIBEL FILED: January 14, 1948, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 13, 1947, by Saul Brothers, Inc., from Bronx, N. Y.

PRODUCT: 5 Electronic Devices at Pittsburgh, Pa.

LABEL, IN PART: "United Diathermy, Inc., Electronic Device Deluxe Model Serial No. 8408" [or other number] Short Wave Electrodes 27300 KC 115V."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the device failed to bear adequate directions for use in the treatment of bursitis, arthritis, neuritis, neuralgia, sciatica, common forms of colds, lumbago, and chronic sinus conditions, which were the conditions for which the device was prescribed, recommended, and suggested in its advertising distributed with each device, i. e., a booklet entitled "Good Health brings Long Life and Happiness" disseminated and sponsored by and on behalf of the manufacturer and distributor of the device.

Further misbranding, Section 502 (j), the device was dangerous to health when used in the dosage, and with the frequency and duration prescribed, recommended, and suggested in its labeling, i. e., a leaflet entitled "Instruction Sheet" which was shipped with each device and which contained the following statements: "180 Watt Output 60 Cycle 115 V. A. C. Instruction Sheet Important Read The Following Instructions Carefully Before Using This Apparatus: 1. Place connecting plug into wall socket. 2. Wires of electrode pads to be inserted in Outlets marked 'Electrodes'. 3. Before starting, make certain that: a. Time switch is in zero position; 4. Place electrode pads to the area to be treated, do not cross electrode pad wires. Proper spacing is essential. For example—Place a folded turkish towel between each electrode and the body. 5. Turn time switch to the right to the desired number of minutes. This time switch automatically starts the Short Wave, as you will note by the pilot light in the center of the panel. 6. Turn heat control to the right or to the left until lowest point of meter. Then turn to the right until desired amount of heat is obtained. If too hot turn back to left until you get a comfortable heat. 7. Heat should be comfortably warm—never hot. You will find it far more beneficial to take a longer and milder treatment, than a short treatment that is uncomfortably hot. An uncomfortably hot treatment is wrong and may result in a serious burn. 8. Any metal, in the path of the Short Wave should be avoided. Bed should be non-metallic. If made of metal, cover them up with a heavy mattress. 9. Caution: Unless otherwise instructed by a physician, do not use for: Menstruation or pregnancy Gastric Ulcers Malignant Tumor Acute inflammatory Condition. 10. If any further information is desired, please telephone or write this office."

DISPOSITION: One device was seized, and on February 25, 1948, a default decree of condemnation was entered and the device was ordered destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS*

2403. Misbranding of estrogenic substances. U. S. v. International Hormones, Inc. Plea of guilty. Fine, \$500. (F. D. C. No. 20203. Sample Nos. 30083-H, 30084-H.)

INFORMATION FILED: March 17, 1947, Eastern District of New York, against International Hormones, Inc., Brooklyn, N. Y.

ALLEGED SHIPMENT: On or about May 5 and August 24, 1945, from the State of New York into the State of California.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "Estrogenic Substances in Sesame Oil Consisting of estrone, estradiol, estriol and other ketonic fractions derived from pregnant mares' urine" was false and

*See also Nos. 2401, 2402.