16 1-ounce bottles of *DermaCulture Formula No. 104* (also called "Steaming Lotion").

Examination disclosed that the *Facializer device* was an electronic device designed to produce a vacuum and to transform commercial electric current to a galvanic current of low voltage and low amperage; that the *DermaCulture Contour Mold device* consisted of sponge rubber, with adjustable fasteners for holding under the chin; that the *DermaCulture Formula No. 103* consisted essentially of water, iron, zinc, and magnesium compounds, including sulfates and citrates; that the *cleansing lotion* consisted essentially of an emulsion of fatty materials and water perfumed with methyl salicylate; that the *herbal astringent* consisted essentially of alcohol, glycerin, perfumes, and color; that the *granular cleanser* consisted essentially of talc, zinc oxide, starchy material, glycerin, and perfume; that the *DermaCulture Formula No. 102* consisted essentially of iron and sodium compounds, salicylates, and phosphates; and that the *DermaCulture Formula No. 104* consisted essentially of water, extracts of plant materials, and formaldehyde.

NATURE OF CHARGE: Misbranding, Section 502 (a) certain statements appearing in the manual recommending the use of the *Facializer device* with one or more of the drugs were false and misleading. The statements implied and suggested that the device and the drugs would constitute an effective treatment for facial blemishes, acne, and scars; that they would give the user a firm youthful complexion; and that they would relieve nervous tension and pain. The device and the drugs would not be an effective treatment for such purposes.

Further misbranding, Section 502 (b) (1), the *DermaCulture Formulae Nos. 102, 103, and 104* failed to bear labels containing the place of business of the manufacturer, packer, or distributor.

Further misbranding Section 502 (e) (2), the drugs with the exception of the *cleansing lotion* and the *granular cleanser*, were not designated solely by a name recognized in an official compendium, and they were fabricated from two or more ingredients and their labels failed to bear the common or usual name of each active ingredient; and with respect to the *herbal astringent*, the label also failed to bear the quantity, kind, and proportion of alcohol contained therein.

Further misbranding, Section 502 (a), the following statements appearing in the direction sheet entitled "Contour Mold," which related to the *DermaCulture Contour Mold device*, were false and misleadng since the device was not effective in accomplishing the results suggested and implied: "Contour Mold. For correction of double chin, flabby jaw muscles and crepy throat. * * * acts as a soft tissue cast." Further misbranding, Section 502 (b) (1), the label of the *DermaCulture Contour Mold device* failed to bear the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: November 10, 1949. DermaCulture, Ltd., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for relabeling, under the supervision of the Federal Security Agency.

3317. Misbranding of Roll a Ray heat massage device. U. S. v. 100 Devices * * *. (F. D. C. No. 26258. Sample No. 42206-K.)

LIBEL FILED: January 17, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 1, 1948, by the Electric Cord Co., from New York, N. Y.

PRODUCT: 100 *Roll a Ray heat massage devices* at Chicago, Ill. Examination showed that the device consisted of a brown plastic molded case with a handle attached. The case enclosed a 60-watt light bulb and two rubber rollers placed at either end of the bottom part of the case. The rollers contacted the body for massaging purposes, and the light bulb furnished the heat. A plastic grid was fitted over the bulb to protect the body from contact with the lamp.

LABEL, IN PART: "Roll a Ray Heat Massage With Infra Red Division Of The O. A. Sutton Corporation Wichita, Kansas."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "For Home Reducing and an Aid in the Relief of Discomforts Arising from Rheumatism, Lumbago, Muscular Aches, Physical Aches * * * for Health and Beauty * * * to remove fatty tissues. Many varied ailments respond to application of heat and massage * * * for loosening muscles and assisting in driving fatty tissues away" were false and misleading since heat and massage are not adequate treatments for such purposes.

DISPOSITION: May 10, 1950. The Fair Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released under bond for modification and relabeling under the supervision of the Federal Security Agency. The devices were modified by replacing the bulbs contained therein with 30-watt bulbs and by inserting a foil reflector in the grid; they then were relabeled in compliance with the law.

3318. Misbranding of plastic suits. U. S. v. 488 Cartons * * *. (F. D. C. No. 29404. Sample No. 81210–K.)

LIBEL FILED: July 18, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 12 and 24 and May 4, 1950, by the Advance Mfg. Co., from Mount Vernon, Ind.

PRODUCT: 488 cartons each containing a *plastic suit* and a copy of a circular entitled "Fashion Form" at Philadelphia, Pa. Examination showed that the suit was a coverall made of plastic, with elastic bands at wrists, ankles, and neck. It was to be worn to induce perspiration.

LABEL, IN PART: (Carton) "Fashion Form Style 3800 Color Clear."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the labeling of the device were false and misleading: (Carton) "Fashion Form" and (circular) "Fashion Form * * * An aid to reducing * * * You may find your health improved * * * your Fashion-Form is not only an aid to losing weight but also contributes to your general health by inducing perspiration." Such statements represented and suggested that the device when used as directed was effective for bringing about a reduction of body weight, resulting in improved health and fashionable form, whereas the device was not capable of fulfilling such promises of benefit.

DISPOSITION: October 9, 1950. Sears, Roebuck & Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released for relabeling, under the supervision of the Federal Security Agency.