

manner and form, as are necessary for the protection of users, in that the labeling of the article contained the warning "To avoid any possibility of forming the laxative habit this preparation should not be taken continuously unless required," which warning was inadequate in that it failed to warn that frequent or continued use of the article under any circumstances may result in dependence upon laxatives to move the bowels.

DISPOSITION: 1-21-55. Default—destruction.

4665. Rectal suppositories. (F. D. C. No. 37569. S. No. 12-112 M.)

QUANTITY: 13,232 *rectal suppositories* in paper bags at New York, N. Y., in possession of Columbia Medical Supply.

SHIPPED: 11-3-54, from Jersey City, N. J., by G & W Laboratories, Inc.

LABEL IN PART: (Bag) "1,000 Special Formula Suppositories Shape: Rectal."

ACCOMPANYING LABELING: Loose box labels containing the following printed matter: "Columbia Blue-Gray Rectal Suppositories One Dozen Columbia Medical Company Distributors New York, N. Y. These suppositories afford soothing relief from discomfort of bleeding, itching and protruding piles. Directions Before using, spread a little mineral oil or vaseline over top of suppository. Then insert as deeply, as possible, morning and night. If necessary, insert also during the day. If condition persists, consult a physician. Be sure to keep in a cool, dry place. Each suppository contains: Bismuth Subiodide, Bismuth Subcarbonate, Zinc Oxide, and Boric Acid in a bland base."

RESULTS OF INVESTIGATION: The suppositories were to be repackaged by the consignee into boxes labeled as described above.

LBELED: 1-11-55, S. Dist. N. Y.

CHARGE: 502 (a)—the box labels accompanying the article while held for sale contained false and misleading representations that the article was an adequate and effective treatment for bleeding and protruding piles and was safe for use in the treatment of bleeding piles; 502 (f) (1)—the labeling of the article when shipped failed to bear adequate directions for use; and, 502 (f) (2)—the labeling of the article when shipped and while held for sale failed to bear such adequate warnings against use in those pathological conditions where its use may be dangerous to health, in such manner and form, as are necessary for the protection of users, in that its labeling failed to warn that the article should not be used in case of rectal bleeding since rectal bleeding may indicate serious disease.

DISPOSITION: 2-25-55. Consent—claimed by Columbia Medical Laboratories, New York, N. Y., and relabeled.

4666. Uranium ore. (F. D. C. No. 37335. S. Nos. 85-866 L, 10-222 M.)

QUANTITY: 2,100 lbs. of *uranium ore* contained in unlabeled plastic sacks on the floor, on the walls, and on two full-length benches of a 16x7x7 ft. room designated as the Uranium Tunnel in Lone Rock, Wis.

SHIPPED: During April 1954, from Arizona, by Kenneth Crook.

ACCOMPANYING LABELING: Tear sheet designated "Arthritics Seek Cure In Radioactive Mines" taken from the July 7, 1952, issue of Life Magazine; letter dated "July 7, 1954" signed "Kenneth Crook"; letter dated "April 29, 1954" signed

"Mrs. R. S. Marshall"; letter dated "April 29, 1954" signed "Jean Steck P. O. Box 548, Prineville, Ore." letter undated signed "Robert Warmbier Clifton, Illinois," and letter undated signed "Maurice Warmbier Clifton, Illinois."

**LIBELED:** 1-14-55, W. Dist. Wis.

**CHARGE:** 502 (a)—the labeling accompanying the article while held for sale contained false and misleading representations that the article provided an adequate and effective treatment for arthritis, "other chronic diseases," multiple sclerosis, bursitis, and deafness; and, 502 (f) (1)—the labeling of the article when shipped failed to bear adequate directions for use in the treatment of the diseases and conditions for which it was intended, namely, arthritis, "other chronic diseases," multiple sclerosis, bursitis, and deafness.

**DISPOSITION:** Victor H. Baker, Lone Rock, Wis., the owner of the article, appeared as claimant and filed an answer admitting that the article was transported unlabeled in interstate commerce but denying that the article was misbranded as alleged in the libel. Thereafter, a motion for summary judgment was filed by the Government and was granted by the court on 6-24-55, on the ground that there was no genuine issue as to any material fact. On the same day, the court entered a judgment of forfeiture and ordered that the article be destroyed.

**4667. Various devices. (Inj. No. 257.)**

**COMPLAINT FILED:** 10-2-53, N. Dist. Calif., against Electronic Medical Foundation, a corporation, San Francisco, Calif., formerly known as the College of Electronic Medicine, and against Fred J. Hart, Salinas, Calif., president of the corporation and in full charge of its operations, Dr. Thomas Colson, San Francisco, Calif., secretary-treasurer of the corporation and in charge of the corporation's diagnostic laboratory and electronic research division, and Dr. Charles J. Pflueger, Los Angeles, Calif., a member of the corporation's board of trustees and executive committee.

**NATURE OF BUSINESS:** The complaint alleged that the defendants were actively promoting the distribution in interstate commerce of certain devices, namely, *Oscilloclast*, *Oscillotron*, *Regular Push Button Shortwave Oscilloclast*, *Sweep Oscillotron*, *Sinusoidal Four-in-One Shortwave Oscillotron*, *Galvanic Five-in-One Shortwave Oscillotron*, all of which are hereinafter referred to as the *Oscilloclast* and *Oscillotron* type of device; *Depolaray*, *Depolatron*, *Depolaray Chair*, *Depolatron Chair*, *Depolaray Junior*, *Electropad*, *New Depolaray Junior*, all of which are hereinafter referred to as the *Dipolaray* and *Depolatron* type of device; and other similar "therapeutic" devices, as well as certain devices designated as *Blood Specimen Carriers* and intended for use as component parts of a "diagnostic" device designated as the *Radioscope*; that, during the past 30 years, the defendants had been promoting the sale and distribution of the devices by such means as lectures, testimonials, case reports, leaflets, books and periodicals, all purporting to have a scientific basis; that the defendants' interstate promotional activities were divided into two major parts, namely, the sale of their "diagnostic" service and the distribution of their "therapeutic" devices; that the defendants maintained their "diagnostic" device, called a *Radioscope*, at their San Francisco office where practitioners who purchased or used defendants' "therapeutic" devices would have access to defendants' "diagnostic" service; that, for a fee, the defendants would accept and examine blood specimens taken from patients of such prac-