

**LIBELED:** 8-11-59, M. Dist. Pa.

**CHARGE:** 502(a)—when shipped and while held for sale, the labeling which accompanied the article contained false and misleading representations that the article was an adequate and effective treatment of overweight; repropotioning the entire body; that it caused wave-like stimuli to penetrate the tissue and circulate fresh, lively blood; that it improved the appearance and vitality; that it literally “melts away” all fat quickly and causes fatty areas to disappear painlessly and simply, benefiting one’s health and restoring beauty, freshness, and youthfulness; would free one’s nervous center and eliminate fatigue; that use of the device over the abdominal area would banish constipation, stimulate and condition the intestinal reflexes, and eliminate toxins which poison the bloodstream; that it would banish headaches, a sallow complexion, rheumatic ailments and prevent premature aging; and that it would cause one to feel more peppy with lots more vim and vigor.

**DISPOSITION:** 10-21-59. Consent—claimed by Bio-Aesthetic Co. of America, Inc., York, Pa., and relabeled.

**6025. Dynamic Massager and Tranqua Lounger.** (F.D.C. No. 41975. S. Nos. 3-412/5 P.)

**QUANTITY:** 35 *Dynamic Massager* devices and 7 *Tranqua Lounger* devices at Norfolk, Va.

**SHIPPED:** Between 5-12-58 and 6-10-58, from New York, N.Y., by Dynamic Mfg. Corp.

**LABEL IN PART:** (Dynamic Massager or Dynamic Home Massager) “Dynamic Manufacturing Corporation, New York, N.Y. Style 21” [or “Model M”] and “Tranqua Lounger, Model 21” [or “Model M”].”

**ACCOMPANYING LABELING:** Leaflets entitled “How the Amazing Dynamic Massager,” “A New Way to a New You,” and “Editorial Medical Men Approve Massage.”

**LIBELED:** 8-8-58, E. Dist. Va.

**CHARGE:** 502(a)—when shipped and while held for sale, the labeling which accompanied the articles contained false and misleading representations that the “*Dynamic Massager*” was an adequate and effective treatment for toning up flabby, sagging stomach muscles for that slim, smart silhouette; obesity; arthritis; nervous tension; heart disease; insomnia; cramps associated with pregnancy; anemia; lumbago; rheumatoid syndrome; angina pectoris; and fractures and paralytic conditions; and that the “*Tranqua Lounger*” was an adequate and effective treatment for easing nervous tension, deep-down relief from muscular soreness and fatigue after strenuous sports, rheumatic or arthritic-type aches, obtaining a firmer, more youthful figure, reducing heart strain, providing new vim and vigor, aiding reducing, aiding blood circulation, for obesity, arthritis, nervous tension, heart disease, insomnia, cramps associated with pregnancy, anemia, lumbago, rheumatoid syndrome, angina pectoris, and fractures and paralytic conditions; and the name “*Tranqua Lounger*” was misleading since the name suggested that the device could provide tranquillizing and other therapeutic sedation whereas it was not capable of providing such sedation; and 502(b)(1)—the “*Tranqua Lounger*” device failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

**DISPOSITION:** 9-4-59. Consent—claimed by Dynamic Mfg. Corp., and relabeled.