RESULTS OF INVESTIGATION: The device was a portable cabinet containing a honeycomb-shaped electrical precipitator, a mechanical filter, and a fan for continuous recirculating of room air through the filters.

LIBELED: 12–30–60, E. Dist. Mo.

CHARGE: 502(a)—when shipped, the accompanying labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for relieving or overcoming heart trouble, asthma, hay fever, allergies, colds, flu, virus conditions, bronchial coughs and ailments, respiratory ailments, sinusitis, shortness of breath, and many serious illnesses; that it guarded health by removing eye and respiratory irritants, bacteria, allergens, and viruses, and that it was essential for general good health.

DISPOSITION: 1–30–61. Default—destruction.

**6580. Clear-Air Electronic Air Purifier device.** (F.D.C. No. 45081. S. No. 36–165 R.)

QUANTITY: 9 cartoned devices at Bloomfield, N.J., in possession of Variety Electronics Corp.

SHIPPED: 5–18–60, from New York, N.Y., by Radio Merchandise Sales, Inc.

LABEL IN PART: (Ctn.) "Clear-Air Electronic Air-Purifier Deluxe Model CA–64 RMS Bronx 62, N.Y."

ACCOMPANYING LABELING: Instruction sheets entitled "Portable Clear Air Electronic Air-Purifier Model CA–64"; display cards reading in part "Clear Air portable electronic air-purifier"; and circulars reading in part "Portable Electronic Air Purifiers."

RESULTS OF INVESTIGATION: The article was a portable table model type cabinet containing dual fan blades, four ultra-violet lamps, and three nylon filters. In operation the room air was reportedly circulated through the device so as to be exposed to the ultra-violet lamps and then filtered out into the room.

The instruction sheets and display cards described above were received from the shipper, and the circulars were printed at the request of the dealer.

LIBELED: 11–7–60, Dist. N.J.

CHARGE: 502(a)—when shipped and while held for sale, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for aiding sufferers of hay fever, sinus, allergies, and asthma, and for clearing and purifying the air for better health.

DISPOSITION: 1–9–61. Default—delivered to the Food and Drug Administration.

## INDEX TO NOTICES OF JUDGMENT D.D.N.J. NOS. 6541 TO 6580

### PRODUCTS



[1] (6546, 6552) Injunction issued.

# U.S. Department of Health, Education, and Welfare

## FOOD AND DRUG ADMINISTRATION

# NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

6581–6620

## DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs and devices which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce, or while held for sale after shipment in interstate commerce. These cases involve (1) seizure proceedings in which decrees of condemnation were entered after default or consent, and (2) an injunction proceeding terminated upon the entry of a permanent injunction after a trial by the court. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation, and the injunction proceedings are against the *firms* and *individuals* charged to be responsible for violations.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D.C., *July 25, 1962.*

### CONTENTS*



*For omission of, or unsatisfactory, ingredients statements, see Nos. 6584, 6586, 6589; an imitation of another drug, No. 6586; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 6584, 6586; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 6584, 6586, 6592.

643889—62——1

***SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS REPORTED IN D.D.N.J. NOS. 6581–6620***

*Adulteration*, Section 501(a)(1), the article consisted in part of a filthy substance; Section 501(b), the article purported to be and was represented as a drug, the name of which is recognized in an official compendium (United States Pharmacopeia), and its quality fell below the standard set forth in such compendium; and Section 501(c), the article was not subject to the provisions of Section 501(b), and its strength differed from, or its purity or quality fell below, that which it purported or was represented to possess.

*Misbranding*, Section 502(a), the labeling of the article was false and misleading; Section 502(b), the article was in package form, and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of the contents in terms of weight, measure or numerical count; Section 502(e), the article was a drug not designated solely by a name recognized in an official compendium, and its label failed to bear (1) the common or usual name of the drug, and (2), in the case where the article was fabricated from two or more ingredients, the common or usual name of each active ingredient; Section 502(f), the labeling of the article failed to bear (1) adequate directions for use, and (2) adequate warnings against use in those pathological conditions, or by children, where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users; Section 502(i)(2), the article was an imitation of another drug; and Section 503(b)(4), the article was a drug subject to Section 503(b)(1), and its label failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

*New-drug violation*, Section 505(a), the article was a new drug within the meaning of Section 201(p), which was introduced into interstate commerce, and an application filed pursuant to Section 505(b) was not effective with respect to such drug.

## NEW DRUGS SHIPPED WITHOUT EFFECTIVE APPLICATION

**6581. Hope's Worm-Rid.** (Inj. No. 368.)

COMPLAINT FOR INJUNCTION FILED: 12–28–59, E. Dist. Mo., against the Hope Co., a corporation, Clayton, Mo., Hope J. Anderson, president and treasurer of the Hope Co., and Na-Spra, Inc., Maplewood, Mo.

NATURE OF BUSINESS: The Hope Co. promoted and sold a drug intended for use without a prescription in the treatment of worm infestation in humans. Each 5-cc. teaspoonful of syrup contained piperazine citrate equivalent to 500 mg. piperazine hexahydrate. The Hope Co. and Hope J. Anderson solicited orders for the drug by means of form letters; they prepared and arranged for the printing of all labeling of the drug, and furnished the formula and labels to Na-Spra, Inc. Na-Spra, Inc., manufactured the drug according to the formula supplied by the Hope Co. and Hope J. Anderson, and packaged the drug in 4-oz. bottles to which the labels supplied by the Hope Co. and Hope J. Anderson were affixed. All customer orders for the drug were initially received by the Hope Co. and Hope J. Anderson, and after such receipt instructions were issued by the Hope Co. and Hope J. Anderson pursuant to which shipments of the drug were made to the customers by Na-Spra, Inc., in the name of the Hope Co. Na-Spra, Inc., would inform the Hope Co. and