

6816. Facializer device, Derma Culture Formula No. 102, and Derma Culture Formula No. 103. (F.D.C. No. 46436. S. No. 87-086 R.)

QUANTITY: 6 devices, 46 1-oz. btl. of Formula No. 102, and 34 2-oz. btl. of Formula No. 103, at Dallas, Tex., in possession of Milady's Clinic.

SHIPPED: Between 1-1-61 and 7-10-61, from Beverly Hills, Calif., by Dermaculture, Inc.

LABEL IN PART: (Device) "Facializer Model * * * Dermaculture, Ltd. * * * Los Angeles" and "Manufactured by Gomco Surgical Mfg. Corp. Buffalo, N.Y."; and (btl.) "Derma Culture Formula No. 102 A topical detergent solution powder for use with negative galvanism. Directions: Add one oz. powder to ½ gallon water. Apply to skin with cloth packs" and "Derma Culture Formula No. 103 A topical detergent astringent solution powder to use with positive galvanism."

ACCOMPANYING LABELING: Post cards entitled "Be Skin Happy"; leaflet entitled "Dermaculture Patrons Remember These Things."

RESULTS OF INVESTIGATION: Investigation indicated that the "*Facializer*" was a device containing electric circuiting and a vacuum pump, equipped with exterior controls and mechanical and chemical components, all designed and contrived to apply galvanic electric current and vacuum to the person of the user.

"Formula No. 102" and "Formula No. 103" were white crystalline materials containing a few yellow crystals.

The accompanying labeling had been prepared by the dealer to promote use of the article.

LIBELED: 9-25-61, N. Dist. Tex.

CHARGE: *Facializer device*, 502(a)—when shipped and while held for sale, the accompanying labeling contained false and misleading representations that the device was adequate and effective to remove blackheads, white heads, and tissue debris; correct enlarged pores, dry skin and oily skin; smooth wrinkles and facial lines; clear acne and pimples; increase circulation and tissue nutrition; vitalize nerve, gland, muscle and skin structure; restore natural, lovely skin health and beauty; tighten saggy cheeks and chin, and correct skin problems.

Derma Culture Formula No. 102 and *Derma Culture Formula No. 103*, 502(b) (1)—when shipped and while held for sale, the articles of drug failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and 502(e) (2)—the labels of the articles of drug failed to bear the common or usual name of each active drug ingredient.

DISPOSITION: 10-11-61. Consent—the devices were claimed by the shipper and the articles of drug were claimed by Jewel Holmes joined by her husband, Herbert W. Holmes, t/a Milady's Clinic. The articles were released to the claimants subject to the provisions of a consent decree which provided for the destruction of the articles of drug and the postcards and leaflets.

6817. Beautiqué stockings. (F.D.C. No. 46048. S. No. 14-336 R.)

QUANTITY: 1,991 individually wrapped pairs in boxes, each box containing 3 pairs, at Columbus, Ohio.

SHIPPED: 1-23-61, from Paducah, Ky., by Beautiqué Stockings, Inc.

LABEL IN PART: (Box) "Beautiqué Bathed In Precious Lotions That Beautify Your Legs."

ACCOMPANYING LABELING: Leaflet reading in part, (front) "Beautiqué Leg Stockings * * * hosiery with a built-in beauty treatment * * * that flatters your legs while massaging them with a softly scented emollient" and (back) "Beautiqué Leg Lotion . . . for Problem Legs . . . Containing Mink Oil * * * Turtle Oil * * * Royal Jelly * * * Lanolin * * * Plus the secret formula CXS which hastens the beautifying action of these precious lotions. * * * Beautiqué Stockings, Inc., Paducah, Ky. A subsidiary of Claussner-Hosiery Co."

LIBELED: 6-26-61, S. Dist. Ohio.

CHARGE: 502(a)—when shipped, the labeling of the article contained false and misleading representations that the article contained lotions which fed the skin; rebuilt the leg tissue; preserved the bloom of youth; softened, massaged, lubricated and beautified the legs.

The libel alleged also that the article was misbranded under the provisions of the law applicable to cosmetics as reported in notices of judgment on cosmetics, No. 229.

DISPOSITION: 7-25-61 and 8-10-61. Consent—claimed by Claussner Hosiery Co., Inc., and reconditioned and relabeled.

6818. Aqua-Spa Whirlpool Bath. (F.D.C. No. 44740. S. No. 21-426 R.)

QUANTITY: 25 individually cartoned devices at Akron, Ohio.

SHIPPED: 4-22-60, from New York, N.Y., by Aqua-Spa Corp.

LABEL IN PART: (Ctn.) "1 Cat. No. ASD 100150 AQUA-SPA DELUXE WHIRLPOOL BATH * * * Good Health and Relaxation for the entire family * * * The Aqua-Spa Corp. New York 1, New York Factory: Brockton, Mass." and (device) "Aqua-Spa De Luxe Whirlpool Bath Equipped with General Electric Motor."

ACCOMPANYING LABELING: Leaflets entitled "Better Health and Relaxation for your Whole Family."

RESULTS OF INVESTIGATION: The article consisted of a vinyl-covered box, 7" x 7" x 19", (with carrying handle attached to the top), enclosing an electric motor which, by means of a flexible shaft, would drive a propellor which was surrounded by a protective housing. In operation, the propellor of the device was placed in the tub or other container of water to impart a high-velocity circulatory action to the water.

LIBELED: 7-25-60, N. Dist. Ohio.

CHARGE: 502(a)—when shipped, the accompanying labeling of the article contained false and misleading representations that it was an adequate and effective treatment for overcoming or relieving arthritis, circulatory disorders, orthopedic conditions, muscular spasms, spastic paralysis, infantile paralysis, spastic colitis, constipation, fibrositis, nutritional and growth disturbances, rheumatism, chronic gout, chronic bursitis, and paraplegia.

DISPOSITION: 9-20-61. Default—destruction.

6819. Exercycle device. (F.D.C. No. 44532. S. No. 14-261 R.)

QUANTITY: 30 devices at Columbus, Ohio.

SHIPPED: Between 7-23-59 and 2-1-60, from Hartford, Conn., by Exercycle Corp.