

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.

**ACCOMPANYING LABELING:** Leaflets entitled "How Much Do You Really Know About Keeping Physically Fit?" "Exercise is Good Preventive Medicine," "Exercise Does Keep the Weight Down," "Brain Expert Tells Why Strokes Occur," "Fats and Arteries," "Taking it Easy Called Good Way to Get Sick," "Exercise Can Help Your Heart," "10 Myths About Your Health," "Prevent Heart Attacks thru Middle Age Physical Fitness Campaign," "How to Ride Your Exercycle," and "Important to New Users!"; phonograph record "This is Your Life"; folder entitled "Basic Principles of Health and Fitness Guidance"; card entitled "Exercycle Operating Instructions"; and schematic drawing "A Dramatization of the Human System."

**RESULTS OF INVESTIGATION:** Examination showed the article to be a portable, bicycle-like frame device designed to remain in a fixed position when operating. The unit was equipped with an electric motor which provided power and rhythmic motions, individually or collectively, to the pedals, handlebars, and seat of the device.

**LIBELED:** 4-20-60, S. Dist. Ohio.

**CHARGE:** 502(a)—when shipped, the labeling contained false and misleading representations that the device was an adequate and effective treatment for increasing circulation of the body, thus helping vital organs to function more efficiently; helping to counteract an increasing death rate from circulatory disorders; helping to overcome or prevent failing eyesight, intestinal disorders, nervousness, body pains and aches, heart attacks, lack of energy and vitality, and brain stroke; helping to prevent ailments not presently evident; that exercise derived from use of the *Exercycle* would reduce the blood cholesterol, thus lowering incidence of hardening of the arteries and possibly other conditions; that exercise derived from use of the *Exercycle* aided in regaining lost youth and health, controlling asthma, recovering from tuberculosis, reducing need for insulin in diabetics, and reducing complications of pregnancy; that the *Exercycle* sales representative was the best informed person on the subject of how one can stimulate his circulation; that exercise derived from use of the *Exercycle* was comparable to such "all-out" exercise as running, swimming, etc.; and that exercise derived from limited daily use of the *Exercycle* contributed significantly to weight reduction.

**DISPOSITION:** 6-8-61. Consent—claimed by the Exercycle Corp., and released under bond for relabeling.

#### **DRUG ACTIONABLE BECAUSE OF OMISSION OF, OR UNSATISFACTORY, INGREDIENT STATEMENTS\***

**6820. Vitamin B<sub>12</sub> injection.** (F.D.C. No. 46484. S. No. 90-995 R.)

**QUANTITY:** 310 10-cc. unlabeled vials at St. Louis, Mo.

**SHIPPED:** 5-11-59, from Inwood, Long Island, N.Y., by Bel-Mar Laboratories, Inc.

**RESULTS OF INVESTIGATION:** Analysis showed that the article contained approximately 990 micrograms of vitamin B<sub>12</sub> per cubic centimeter.

**LIBELED:** 10-5-61, E. Dist. Mo.

**CHARGE:** 502(b)—when shipped, the article 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; 502(e) (1)—the article failed to bear a label containing the common or usual

\*See also Nos. 6783, 6784, 6815, 6816.