

LABEL, IN PART: “* * * W. E. & M. E. Herb Laxative Active Ingredients: Ragweed, White Oak Bark, Red Oak Bark, Golden Seal Root, Queen’s Root, Gentian Root, Rhubarb, Black Snake Root, Virginia Snake Root, Gall of the Earth, Jamaica Ginger Root, Poke Root, Peppermint, Blood Root, Lily of the Valley, Rosemary, Buchu, Valarian Root, Dandelion Root, Cape Aloes, Senna Leaves, Mandrake.”

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circular entitled “WE & ME Herb Tonic,” which was attached to each bottle of the article, were false and misleading. The statements represented and suggested that the article was a tonic and that it was effective in the treatment or arthritis, nervousness, liver and kidney trouble, lost pep, lost appetite, backache, lost memory, lost energy, neuritic conditions, lumbago, headache, indigestion, gas, pains, belching, heartburn, sour stomach, rheumatism, bladder trouble, colds, and dizziness. The article was not a tonic and was not effective in the treatment of the disease conditions stated and implied.

DISPOSITION: June 13, 1950. Default decree of condemnation and destruction.

3138. Action to enjoin and restrain the interstate shipment of a device known as Radiant Ozone Generator. U. S. v. J. C. Gage (Ozone Clinic). Consent decree granting injunction. (Injunction No. 213.) 99-2779

COMPLAINT FILED: April 19, 1950, Western District of Missouri, against J. C. Gage, trading as the Ozone Clinic, Kansas City, Mo.

NATURE OF CHARGE: That the defendant had been and was at the time of filing the complaint, introducing and delivering for introduction into interstate commerce a device known as *Radiant Ozone Generator*, consisting of an electrical transformer, the primary lead of which was intended to be connected to an alternating current supply and each terminal of the secondary lead connected to one end of a series of gas-filled tubes similar to the so-called neon lights.

The device was alleged to be misbranded within the meaning of Section 502 (a), by reason of false and misleading statements in the labeling. The labeling included leaflets entitled “The Radiant Ozone Generator” and “How to Use the Radiant Ozone Generator For the Best Results at Home” and twenty-eight mimeographed pages of testimonials.

Certain statements in the labeling represented and suggested that the device would produce ozone, rays, color, and vibration, which, it was claimed, are the four essential things for health; that the device would relieve suffering from many incurable diseases, destroy all germs and bacteria, deodorize and purify the air, and purify the blood and rejuvenate the entire body; that the device would ozonize the body and assist one in getting the best results for various diseases; that it would revitalize the body; that it would be effective in aborting flu and pneumonia, maintaining and restoring health and strength, cleansing the blood, scattering blood clots, and killing germs in the blood; and that the device would be effective in the treatment of arthritis, asthma, anemia, cancer, diabetes, sinus infections, pneumonia, rheumatism, piles, varicose veins, neuritis, colds, tonsillitis, sore throat, headache, stomach ache, toothache, earache, indigestion, fever and grippe, angina, diphtheria, mumps, whooping cough, bladder disorders, eye trouble, catarrh, heart trouble, hay fever, liver trouble, prostate gland trouble, colitis, constipation, paralysis, rheumatism, ulcers, sores, sprains, tuberculosis, mastoid ear, throat troubles, chicken-pox, cancer of the breast, inflammation of the kidneys, neuralgia, disease caused