

**5035. Eardrum protectors.** (F. D. C. No. 38969. S. No. 36-916 M.)

**QUANTITY:** 45,000 *rubber earplugs* in 2 cartons, and 325 display cards, each card containing 12 boxes and each box containing 1 pair, of *rubber earplugs*, at New York, N. Y., in possession of E-Z Products (Steckler Sales Co.).

**SHIPPED:** During 1952 or 1953, from Phoenixville, Pa.

**LABEL IN PART:** (Carton) "Ear Drum Protectors 679 Red"; (display card) "Improved Protek Ear Drum Protectors"; (unit box) "Protek Improved Ear Drum Protectors."

**ACCOMPANYING LABELING:** 109,000 empty unit boxes and 425 display cards.

**RESULTS OF INVESTIGATION:** The devices were shipped in interstate commerce in bulk and were repackaged by the consignee. The unit boxes and display cards were printed locally for the consignee.

The device consisted of two rubber plugs designed so as to fit easily into each ear.

**LIBELED:** 3-13-56, S. Dist. N. Y.

**CHARGE:** 502 (a)—the labeling of the device, while held for sale, contained false and misleading representations that it was effective for preventing mastoiditis and other ear infections that might result from engaging in swimming.

**DISPOSITION:** 3-29-56. Consent—claimed by E-Z Products (Steckler Sales Co.) for relabeling.

**5036. Eardrum protectors.** (F. D. C. No. 38864. S. No. 38-823 M.)

**QUANTITY:** 102 display cards, each containing 14 plastic boxes and each box containing 1 pair, of *rubber earplugs* at Miami Beach, Fla.

**SHIPPED:** 7-12-55, from New York, N. Y., by Eagle Drug Supply Co., Inc.

**LABEL IN PART:** (Display card) "Fitsrite Audiphone De Luxe Ear Drum Protectors \* \* \* Manufactured By Fitsrite Products Co. New York, N. Y."

**ACCOMPANYING LABELING:** (Circular enclosed in each box) "Fitsrite 'Audiphone' Ear Drum Protector."

**RESULTS OF INVESTIGATION:** The device consisted of two rubber plugs so devised as to fit easily into each ear. Inserted in each rubber plug was a small piece of metal in the shape of a cone.

**LIBELED:** 12-19-55, S. Dist. Fla.

**CHARGE:** 502 (a)—the labeling of the article, when shipped, contained false and misleading representations that the article was effective for preventing mastoiditis and ear infections that might result from engaging in swimming.

**DISPOSITION:** 5-9-56. Default—destruction.

**5037. Therapeutic mittens.** (F. D. C. No. 38894. S. No. 40-410 M.)

**QUANTITY:** 32 devices at Minneapolis, Minn.

**SHIPPED:** 11-22-55, from Middleboro, Mass., by Lobl Mfg. Co.

**LABEL IN PART:** (Carton) "De Ans Infra-Ray Therapeutic Mittens."

**ACCOMPANYING LABELING:** Leaflets designated "Now Blessed Relief from the pains of \* \* \*."

**RESULTS OF INVESTIGATION:** The article consisted of a pair of hand coverings made of rubberized cloth and plastic, in which electrical heating wires were enclosed so that when the plug attached to the mittens was connected with a household electrical outlet, the hand coverings became warm.

**LIBELED:** 1-9-56, Dist. Minn.

**CHARGE:** 502 (a)—the labeling accompanying the article, when shipped, contained false and misleading representations that the article provided an adequate and effective treatment for arthritis, rheumatism, sinus conditions, nervous conditions, and other ailments where blood stimulation was indicated for the relief of pain, and for excruciating pain accompanying arthritis and rheumatism.

**DISPOSITION:** 3-1-56. Default—delivered to Food and Drug Administration.

**DRUGS FOR VETERINARY USE\***

**5038. Veterinary drug preparations.** (F. D. C. No. 38904. S. Nos. 24-798/9 M.)

**QUANTITY:** 19 1-lb. cans of *Dr. David Roberts Rx No. 46* and 7 1-lb. cans of *Udder Rx No. 20* at Seattle, Wash.

**SHIPPED:** Between 3-22-55 and 8-30-55, from Waukesha, Wis., by Dr. David Roberts Veterinary Co.

**LABEL IN PART:** (Can) "Dr. David Roberts Rx No. 46 For Cows and Heifers at Freshening Time Active Ingredients Nux Vomica (Strychnine one grain in each ounce) Dandelion Root Burdock Root Ginger Root Carbolic Acid 1.2% Other Ingredients Anise Licorice Epsom Salts Sulphur Locust Bean Meal Salt Corn Starch Colombo Root" and "Udder Rx No. 20 An Adjuvant in the Treatment of Mastitis \* \* \* Active Ingredients: Nux Vomica (strychnine .23 grains in each ounce) Potassium Iodide, Poke Root, Iron Sulphate, Sulphur, Colombo Root, Cobalt sulphate. Inert ingredients: Calcium phosphate, Sodium bicarbonate. Enriched yeast products \* \* \* Prepared by Dr. David Roberts Veterinary Co. Waukesha, Wisconsin \* \* \* Mastitis Yields faster when Cobalt steps up the effectiveness of Antibiotic action."

**LIBELED:** On or about 1-13-56, W. Dist. Wash.

**CHARGE:** 502 (a)—the labels of the articles, when shipped, contained false and misleading representations that *Dr. David Roberts Rx No. 46* was an adequate and effective treatment for retained placenta; that *Udder Rx No. 20* was an adequate and effective treatment for mastitis, would help arrest inflammation and prevent suppuration, had antibiotic action, and would step up the effectiveness of antibiotics administered in conjunction with it.

**DISPOSITION:** 3-9-56. Default—destruction.

**5039. Master Liquid (2 seizure actions).** (F. D. C. Nos. 36149, 36150. S. Nos. 83-852/3 L.)

**QUANTITY:** 17 1-gal. jugs at Mineral Point, Wis., and 16 1-gal. jugs at Potosi, Wis.

**SHIPPED:** 9-3-53 and 9-11-53, from Omaha, Nebr., by Master Laboratories, Inc.

**LABEL IN PART:** (Jug) "Master Liquid \* \* \* Ingredients: Sodium Thio-Sulphate; Beechwood Creosote; Guaiacol; Powdered Extract of Licorice; Sodium Hydroxide 9%; Sodium Bicarbonate; Betanaphthol; Oil of Anise; Sodium Phenosulfonate; Solution of Potassium Arsenite, (Arsenic as Arsenous Oxide, 0.75%); Nicotinic Acid."

**ACCOMPANYING LABELING:** (17-jug lot) Letters addressed to "Dear Friend and Dealer" and "Dear Dealers."

**LIBELED:** On or about 12-7-53, W. Dist. Wis.

**CHARGE:** 502 (a)—(both lots) the following statements on the label of the article, when shipped, were misleading since they suggested and implied that

\*See also No. 5006.