for rheumatism, neuritis, sprains, colds, etc.; and 502(f)(2)—the labeling failed to warn that the article should not be used otherwise than as directed; that it should be kept out of the reach of children; and that its use should be discontinued if excessive irritation of the skin developed.

DISPOSITION: 2–8–61. Default—destruction.

6560. Figurama device. (F.D.C. No. 42969. S. No. 27–707 P.)

QUANTITY: 20 devices individually cartoned at St. Paul and Minneapolis, Minn.

SHIPPED: 1–27–59 and 1–29–59, from Milford, Conn.

LABEL IN PART: "Tempulse Figurama By Streamform Corp., New York, N.Y."

RESULTS OF INVESTIGATION: Examination indicated that the device was a streamlined box-shaped housing containing an electric motor which provided vibrating and/or oscillating action to two pads located atop the housing. The pads contained a controlled heating element; and detachable tubular padded extensions converted the housing to a table-type device.

LIBELED: 4–7–59, Dist. Minn.

CHARGE: 502(f)(1)—while held for sale, the labeling of the article failed to bear adequate directions for use as a treatment for relieving polio or any disease of that type; reducing; easing an incurable disease; relieving arthritis, bursitis, rheumatism, and neuritis; increasing blood circulation to all parts of the body to keep one from becoming sick, losing hair, getting wrinkles, or having high blood pressure; improving posture and firming the body tissues; banishing nervous tension; as a "help for everything"; spot reducing and taking off inches; which were the conditions and purposes for which it was offered in oral statements made by a sales representative in Minneapolis, Minn., on 2–2–59 and 2–3–59.

DISPOSITION: In May 1959, the Streamform Corp. filed a claim to the articles. Thereafter, the action was removed at the claimant's motion to the United States District Court of New Jersey where an answer was filed by the claimant denying that the articles were misbranded. After further litigation including the submission of written interrogatories by the Government, the submission of answers by the claimant, a motion by the Government to compel further and more complete answers, and an order of the court that the claimants submit further and more complete answers, a consent decree of condemnation was filed on 10–20–60. The claimant failed to file the bond required by the consent decree for the release of the goods to the claimant for relabeling under Government supervision. A default decree was filed on 1–27–61, and the devices were ordered to be turned over to the Department of Health, Education, and Welfare, Food and Drug Administration, Minneapolis, Minn., for exhibit purposes.

6561. Ultra-Sonic device. (F.D.C. No. 44591. S. No. 43–699 R.)

QUANTITY: 1 device at Great Falls, Mont., in possession of Elizabeth Webb Hill.

SHIPPED: 8–14–59, from Los Angeles, Calif., by Ace Medical Instrument Co.

LABEL IN PART: (Metal plate on device) "Ace Ultra-Sonic * * * Manufactured by Electronics Instrument Co., Los Angeles, Calif."

ACCOMPANYING LABELING: Leaflets entitled "Operating Instructions" and "Ace Ultra-Sonic Deluxe Model."

RESULTS OF INVESTIGATION: Examination indicated the device to be an electronic device producing ultrasound energy at 960,000 cycles per second through a 10 square centimeter sound head. The instrument cabinets con-