On May 1, 1940, the American Sundries Co., Inc., having admitted the allegations of the libel and having petitioned leave to relabel the device, a decree was entered ordering its release under bond conditioned that it be so relabeled.

186. Misbranding of electric vaporizers. U. S. v. 22 Electric Vaporizers. Default decree of condemnation and destruction. (F. D. C. No. 1618. Sample No. 14301–E.)

This product was a kettle-shaped electric vaporizing device. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On March 11, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 22 electric vaporizers at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about February 10, 1940, by the Practical Products Co. from New York, N. Y.; and charging that it was misbranded. The article was labeled in part: "The Prak-t-kal Electric Vaporizer."

The device was alleged to be misbranded in that the labeling bore representations that it was a practical road to health; that it was efficacious in the treatment of asthma, bronchitis, laryngitis, and whooping cough; that it would bring prompt relief for asthma and bronchitis; that it would generate healing, medicated vapors, and that these healing vapors would penetrate the throat and nasal passages and relieve congestion from head to chest, which representations were false and misleading since it was not efficacious for the purposes recommended.

On March 30, 1940, no claimant having appeared, judgment of condemnation was entered and the article was ordered destroyed.

187. Misbranding of electric vaporizers. U. S. v. 17 Rogers Electric Vaporizers. Default decree of condemnation and destruction. (F. D. C. No. 1363. Sample No. 74442–D.)

This product was an electric device for vaporizing water, the vapor passing over cotton which had been saturated with some medicinal agent. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On January 18, 1940, the United States attorney for the District of Minnesota filed a libel against 17 electric vaporizers at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about October 9, 1939, by the Rogers Electric Laboratories, Inc., from Cleveland, Ohio; and charging that it was misbranded.

The device was alleged to be misbranded in that the representations in the labeling that it was efficacious in the treatment of bronchitis, pneumonia, influenza, and asthma, were false and misleading since it was not efficacious for such purposes.

On March 19, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

188. Misbranding of vaporizers. U. S. v. 33 Sterno Vaporizers. Default decree of condemnation and destruction. (F. D. C. No. 1696. Sample Nos. 481–E, 483–E.)

This product was a device designed to vaporize water and other liquids. Its labeling bore false and misleading representations regarding its efficacy in the conditions indicated below.

On March 26, 1940, the United States attorney for the Southern District of Florida filed a libel against 33 Sterno Vaporizers at Jacksonville, Fla., alleging the article had been shipped in interstate commerce on or about January 27, and March 1, 1940, by S. Sternau & Co., Inc., from New York, N. Y.; and charging that it was misbranded.

The device was alleged to be misbranded in that its labeling bore representations that it was efficacious for quick relief for coughs and sore throat, bronchitis, hay fever, whooping cough, catarrh, and asthma; that it was efficacious in the treatment of coughs, grippe, bronchitis, hay fever, sinus, influenza, coughs, sore throat, and related ills; that inhalation is the recognized modern method of scientifically combating inflammation and congestion of the respiratory organs; that the warm vapors would open up the membranes and tissues, permitting the antiseptic, healing ingredients to penetrate quickly and effectively to surfaces not otherwise reached, that such symptoms as coughing, throat irritations, chest congestion or increased body temperature should receive instant attention and that inattention to seemingly slight ills often results in serious future complications and that inhalation would in most cases prevent