

IN THE MATTER OF

FRED ADELMANN, ALSO KNOWN AS FRANK ADELMANN,
TRADING AS VIT-O-NET COMPANY, VIT-O-NET COR-
PORATION AND ELECTRIC BLANKET COMPANYCOMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914*Docket 3533. Complaint, Sept. 21, 1938¹—Decision, Aug. 1, 1939*

Where an individual engaged in manufacturing, advertising, selling and distributing, under name "Vit-O-Net" and other names, an electrical device in the nature of a blanket; in advertising his said device in booklets, pamphlets, circulars, labels, and folders distributed among prospective purchasers, and in newspapers and magazines thus circulated, and in advertisements thereof which he thus disseminated in commerce and which were intended and likely to induce purchase thereof—

- (a) Represented and implied that said device created and diffused so-called "electromagnetic energy" which was transmitted to the person within or under the protection thereof, leading to increased activity and revitalization of organs and cells of the body, charging the blood stream with such energy, and resulting in elimination of many times more poisons than was possible by any other method, and that resulting stimulation of the various cells of the body produced the cure of practically all the diseases which afflicted mankind, and that a large number of specified diseases, ailments and conditions, including blood pressure, rheumatism, arthritis, pneumonia, and numerous others, could be cured through use of said device, through correction of faulty elimination which he claimed to be responsible for said diseases, etc., facts being it did not create and diffuse so-called "electro-magnetic energy" which was transmitted as above set forth, or accomplish the other results claimed, use thereof did not cure said various diseases, ailments and conditions, and said device was not beneficial in treatment of any of them, except in those instances where direct application of heat over an extended area was beneficial;
- (b) Represented that said device was created and manufactured for practical application of the biological, chemical, and other scientific discoveries and theories of well-known scientists, and was the result of painstaking and long experiments and tests, and was used, endorsed, and recommended by prominent and well-known physicians, scientists and other persons, and by hospitals, schools, and various other institutions, on the basis of extensive medical and scientific research by such persons and institutions, facts being it was not created and made for practical application of such discoveries and theories, as above set forth, or result of such experiments and tests, nor used, endorsed, or recommended by physicians, etc., as above claimed, and had not been tested or endorsed by such institutions and persons after such research;

¹ Amended.

- (c) Represented that said device possessed therapeutic properties and values other than those resulting from heat produced thereby, facts being it possessed no such values or properties, other than as a producer of heat for direct application to extended areas of the body; and
- (d) Represented that he maintained a health division under the supervision and direction of a physician, and operated a laboratory in connection therewith which gave medical advice to and made analyses for purchasers of said device, and that he rendered a medical service to such purchasers and their families as long as such purchasers owned such device, facts being he maintained no such health division, operated no laboratory, and gave no competent medical advice to and made no scientific analyses for said purchasers, and maintained no such medical service therefor, and rendered no health or laboratory service of any kind to purchasers of his said device;

With effect of misleading and deceiving substantial portion of purchasing public into erroneous and mistaken belief that such statements, representations and implications, and such false advertisements, were true, and that said device possessed curative and therapeutic values and properties claimed, and was used, recommended, and approved as above set forth, and was result of medical and scientific experiments enumerated, and that he maintained a health division under supervision and direction of a competent physician and a laboratory staffed by competent technicians for the dissemination of advice to and making analyses for purchasers of said device, and into buying such device as result of such erroneous and mistaken beliefs induced as above set forth:

Held, That such acts and practices, as above set forth, were all to the prejudice and injury of the public and constituted unfair and deceptive acts and practices.

Before *Mr. Randolph Preston*, trial examiner.

Mr. William L. Taggart for the Commission.

Mr. Paul J. Donovan, of Chicago, Ill., for respondent.

AMENDED COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said act, the Federal Trade Commission, having reason to believe that Frank Adelman, an individual, trading and doing business under the names of Vit-O-Net Co., Vit-O-Net Corporation, and Electric Blanket Co., hereinafter referred to as the respondent, has violated the provisions of said act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its amended complaint, stating its charges in that respect as follows:

PARAGRAPH 1. The respondent, Frank Adelman, is an individual, trading and doing business under the names of Vit-O-Net Co., Vit-O-Net Corporation, and Electric Blanket Co., who for more than a year last past has been, and is now, engaged in the business of manufacturing, distributing, and selling an electrical device from his place of

Complaint

29 F. T. C.

business at 1716 South Michigan Avenue, Chicago, Ill., to persons located in the various States of the United States and in the District of Columbia. The device is a so-called electric blanket through which are run, or into which are woven, copper wires connected to an attachment for plugging into an electric socket, which respondent refers to as "Vit-O-Net" and other names.

The respondent causes his device, when sold, to be transported from his said place of business in the State of Illinois to purchasers thereof located in various States of the United States other than the State of Illinois and in the District of Columbia. He maintains a course of trade in said device so sold and distributed by him in commerce between the State of Illinois and various other States of the United States and in the District of Columbia.

PAR. 2. In the course and conduct of his said business and for the purpose of inducing members of the public to purchase said device, respondent sends to, and disseminates among, prospective customers located at various points in many of the States of the United States and in the District of Columbia, letters, booklets, pamphlets, circulars, folders, and other forms of advertising matter wherein he describes said device, enumerates its claimed therapeutic value and makes many statements and representations regarding said device and its efficacy in the treatment and cure of various ailments, diseases, and conditions. Among, and typical of, said statements and representations so used and disseminated are the following:

Scientists have long realized that if a method could be found for stimulating the tiny living cells to throw off this waste—to arouse the waste channels to carry it out of the system more promptly—all body cells and tissues would be healthy and the largest part of human ills would be wiped out.

This end has been sought for centuries by drugs, by manipulation, by massage, by electric treatments of various sorts, all seeking the same end—to vibrate the tiny cells; to stimulate them to activity; to hasten elimination; then to encourage assimilation of new food supplies by live, healthy tissue.

Electricity has been the great hope of corrective therapeutics, particularly since radio has opened a new sphere of science in the study of the unquenchable waves of electro-magnetic force which travel the whole world around. At first, high-frequency machines were used, but their application was only local. Magnetism alone had the same limitations.

If only electrical energy, magnetism and a gentle heat could be made to reach all the tissues of the body at once, elimination would be general. So that wastes, removed from local spots, would not be dumped onto other organs to cause new troubles! Thousands have studied the problem.

During seventeen years of patient, at times painful and discouraging effort, in literally thousands upon thousands of tests, the Vit-O-Net has worked its slow but sure way to that goal.

Even after perfection was obtained in the laboratory and in the factory, it was determined that Vit-O-Net should not be marketed to the general public until

ample proof of its health-building properties had been established fully. For years it was sold principally to hospitals, physicians and sanitariums. These institutions have purchased blankets and used them regularly to relieve suffering and to save life.

Over 13,000 actual users by their grateful acknowledgment of recovery from all manner of "elimination diseases", attest the fact that Vit-O-Net not only has reached the solution of the problem, but has established its success by literally thousands of successful recoveries.

Vit-O-Net vibrates the cells! Gently, as though by thousands of invisible fingers!

Vit-O-Net stimulates cells and blood stream—every tiny particle of both! Vit-O-Net eliminates wastes! By arousing the human sewage system to action. Assimilation follows. Healthy cells, tissues, organs, bodies—all follow.

Vit-O-Net is not simply a heating and sweating device. Where the average heat treatment weakens, Vit-O-Net stimulates and increases energy. It has been notably successful with heart and anemia cases; also with aged people who cannot stand the weakening effect of ordinary heat treatments.

Under Faraday's Law, just as the wire loops in the dynamo pick up electric current, so the blood stream, moving through the magnetic field, becomes charged with tiny, minute currents of electricity. Although these minute electric currents are so small they scarcely are measurable, they are sufficient to stimulate the tiny cells of the body; a heavy current would have overwhelmed these tiny cells.

Movement of muscles in breathing or of the other organs of the body as they function, likewise charge them with electricity. Both the magnetic lines of force and the electrically charged blood stream reach every cell in the body—the cells in the very marrow of the bones just as readily as the cells of the skin. They stimulate each cell, the unit of life, to unload accumulation of waste directly into the blood stream and other waste channels. This explains why the Vit-O-Net produces results which cannot be obtained with any other form of treatment.

With the blood stream electrified and all the cells of the body receiving the electro-magnetic energy, and under their influences unloading waste into the proper channels, the cells become "hungry" for new nourishment, which is taken up eagerly; naturally each cell becomes sound and well. When all the cells in an organ or in a muscle are well, the organ or muscle is well; when all the organs and tissues are well, the body is well. There is no guesswork about it. Proof has been established in thousands of cases.

FAULTY ELIMINATION!

Blood Pressure
Rheumatism
Arthritis
Neuritis
Sciatica
Pneumonia
Flu
Uremia
Kidney Cases
Liver Disorders

Bright's Disease
Stomach Troubles
Dropsy
Catarrh
Goitre
Constipation
Auto-Intoxication
Eczema
Diabetes
Women's Ailments

Complaint

29 F. T. C.

Asthma
Colds
Acne and Pimples
Nervousness
Insomnia
Paralysis

Obesity
Hay Fever
Neurasthenia
Varicose Veins
Social Diseases
Heart Diseases

How is it possible that all these ailments are being relieved by the same treatment. The answer is simple; they have one common cause—Faulty Elimination.

IMPORTANT!

HEALTH SERVICE

Every purchaser of Vit-O-Net, who thus becomes a member of our Health Club, is entitled to *medical service* for himself and all members of his family, as long as he owns a Vit-O-Net. There is *no charge* for this service.

With each Vit-O-Net goes a Case History blank, which the purchaser is to fill out completely in his own words. There also is a container in which a sample for urinalysis may be sent our laboratories.

Our Health Division is under direction of a physician, an M. D., who also is a Master of Arts and a Fellow of the American Medical Association. He is anxious to work with your physician with only one object in view—*your health*.

Our laboratories are under direction of a nationally known technician. Advice, diets and analyses from our Health Division may be submitted to any recognized authority for verification.

This service is yours, *as long as you live!*

All of said statements, together with similar statements, appearing in respondent's advertising literature, purport to be descriptive of respondent's said device and of its effectiveness in use. By the means and in the manner aforesaid, respondent, directly and by inference, through the statements and representations herein set out, and other statements and representations of similar import and effect, represents and implies that said device creates and diffuses so-called "electromagnetic energy" which is transmitted to the person within or under the protection of said device, thereby causing an increased activity and revitalization of the organs and cells of the body, charging the blood stream with such energy, resulting in an elimination of many times more poisons than is possible by any other method, and that the resulting stimulation of the various cells of the human body produces a cure of practically all of the diseases, ailments and conditions which afflict mankind; that the following diseases, ailments and conditions can be cured through the use of said device because said device corrects faulty elimination, which respondent claims is responsible for said diseases, ailments and conditions: blood pressure, rheumatism, arthritis, neuritis, sciatica, pneumonia, flu, uremia, kidney cases, liver disorders, asthma, colds, acne and pimples, nervousness, insomnia, paralysis, Bright's disease, stomach troubles, dropsy, catarrh, goitre, constipation, auto-intoxication, eczema, diabetes, women's ailments,

obesity, hay fever, neurasthenia, varicose veins, social diseases, heart diseases; that said device is created and manufactured for practical application of the biological, chemical, and other scientific discoveries and theories of well-known scientists and as the result of painstaking and long experiments and tests; that said device is used, endorsed and recommended by prominent and well-known physicians, scientists, and other persons and by hospitals, schools, and various other institutions, and that such endorsements and recommendations are based upon extensive medical and scientific research by such persons and institutions; and that said device possesses therapeutic properties and values other than those resulting from the heat produced by said device.

By the means and in the manner aforesaid, respondent represents that he maintains a health division, under the supervision and direction of a physician, operating a laboratory in connection therewith, which gives medical advice to, and makes analysis for, purchasers of said device; and that respondent renders a medical service to purchasers of said device and their families so long as said purchasers own said device.

In truth and in fact, respondent's said device does not create and diffuse so-called "electromagnetic energy" which is transmitted to the person within or under the protection of said device, thereby causing an increased activity and revitalization of the organs and cells of the body, and it does not charge the blood stream with such "energy" nor does it result in an elimination of many times more poisons from the system than is possible by any other method; and its use does not result in a stimulation of the various cells of the human body or produce a cure of practically all the diseases, ailments and conditions which afflict mankind. The use of said device will not cure blood pressure (high or low), rheumatism, arthritis, neuritis, sciatica, pneumonia, flu, uremia, kidney cases, liver disorders, asthma, colds, acne and pimples, nervousness, insomnia, paralysis, Bright's disease, stomach troubles, dropsy, catarrh, goitre, constipation, auto-intoxication, eczema, diabetes, women's ailments, obesity, hay fever, neurasthenia, varicose veins, social diseases, and heart diseases. Said device is not beneficial in the treatment of any of said diseases, ailments and conditions, except in such instances where the direct application of heat over an extended area is beneficial. Said device was not created and manufactured for practical application of the biological, chemical and other scientific discoveries and theories of well-known scientists and as the result of painstaking and long experiments and tests; and said device is not used, endorsed and recommended by prominent and well-known physicians, scientists and other prominent and well-

known persons, nor is it used by hospitals, schools and various other institutions and it has not been tested or endorsed by such institutions and such persons after extensive medical and scientific research. Said device does not possess any therapeutic values or properties other than as a producer of heat for direct application to extended areas of the body. Respondent's representations and claims as to the therapeutic value and usefulness of said device are false or grossly exaggerated and greatly exceed those which might truthfully be made for said device.

In truth and in fact, respondent does not maintain a health division, under the supervision and direction of a physician, and does not operate a laboratory in connection therewith, nor does he give competent medical advice to, or make scientific analysis for, purchasers of said device; nor does respondent maintain any medical service for purchasers of said device and their families so long as said purchasers own said device. In truth and in fact, respondent renders no health or laboratory service of any kind to purchasers of said device.

PAR. 3. The device offered for sale and sold by respondent as aforesaid is an instrument, apparatus, or contrivance intended for use in the cure, mitigation, treatment or prevention of disease in man and which is intended to affect the structure or some function of the body of man. The advertisements, containing the statements and the representations and implications hereinabove set out, constitute false advertisements in that such advertisements are misleading in material respects as hereinabove alleged, which are disseminated in commerce as aforesaid for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of said device.

PAR. 4. The use by the respondent of the aforesaid false, deceptive, and misleading statements, representations and implications with respect to said device, and the services rendered to purchasers thereof, and the dissemination of said false advertisements in commerce as aforesaid, has had, and now has, the capacity and tendency to, and does, mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that such statements, representations and implications, and said false advertisements, are true and that said device possesses the curative and therapeutic properties and values claimed and that it is used, recommended and approved by the persons and institutions named and is the result of the medical and scientific experiments enumerated; and that the respondent maintains a health division, under the supervision and direction of a competent physician, and a laboratory, staffed by competent technicians, for the dissemination of advice to, and the making of analysis

for, purchasers of said device, and into the purchase of respondent's said device as a result of such erroneous and mistaken beliefs induced by the aforesaid acts and practices of the respondent.

PAR. 5. The aforesaid acts and practices of the respondent, as herein alleged, are all to the prejudice and injury of the public and constitute unfair and deceptive acts and practices in commerce within the intent and meaning of the Federal Trade Commission Act.

REPORT, FINDINGS AS TO THE FACTS, AND ORDER

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission, on September 21, 1938, issued, and on September 22, 1938, served, its amended complaint in this proceeding upon respondent, Fred Adelman, also known as Frank Adelman, an individual, trading as Vit-O-Net Co., Vit-O-Net Corporation, and Electric Blanket Co., charging him with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of the said act. After the issuance of the said amended complaint, certain testimony and other evidence in support of the allegations of the amended complaint were introduced by William L. Taggart, attorney for the Commission. In the course of hearings herein, respondent filed his answer to said complaint admitting all the material allegations of fact set forth in said amended complaint and waiving all intervening procedure and further hearing as to said facts. Thereafter, this proceeding regularly came on for final hearing before the Commission on the said amended complaint, testimony, and evidence, and said answer, and the Commission having duly considered the matter, finds that this proceeding is in the interest of the public and makes this its findings as to the facts and its conclusion drawn therefrom:

FINDINGS AS TO THE FACTS

PARAGRAPH 1. The respondent, Fred Adelman, is an individual, trading and doing business under several names, principally Vit-O-Net Co., Vit-O-Net Corporation, and Electric Blanket Co., with his principal place of business at 1716 South Michigan Avenue in the city of Chicago, State of Illinois. The respondent is also known and does business as Frank Adelman. Under one or the other of the trade names, respondent has been for some time past, and is now, engaged in the business of manufacturing, advertising, selling, and distributing an electrical device in the nature of a blanket which he calls Vit-O-Net and other names. The respondent causes said device to be transported from his place of business in the State of Illinois to

Findings

29 F. T. C.

purchasers thereof in various States other than the State of Illinois and in the District of Columbia, and maintains, and for more than a year last past has maintained, a course of trade in commerce in such device so sold and distributed between the State of Illinois and the various other States of the United States and the District of Columbia.

PAR. 2. In the course and conduct of his business in said commerce, and for the purpose of inducing members of the public to purchase said device, respondent advertises said device in booklets, pamphlets, circulars, labels, and folders distributed among prospective purchasers and in newspapers and magazines circulated among said prospective purchasers. In said advertisements appear statements purporting to be descriptive of said device and its effectiveness and value for the uses and purposes for which it is advertised.

Among such statements are the following:

Scientists have long realized that if a method could be found for stimulating the tiny living cells to throw off this waste—to arouse the waste channels to carry it out of the system more promptly—all body cells and tissues would be healthy and the largest part of human ills would be wiped out.

This end has been sought for centuries by drugs, by manipulation, by massage, by electric treatments of various sorts, all seeking the same end—to vibrate the tiny cells; to stimulate them to activity; to hasten elimination; then to encourage assimilation of new food supplies by live, healthy tissue.

Electricity has been the great hope of corrective therapeutics, particularly since radio has opened a new sphere of science in the study of the unquenchable waves of electro-magnetic force which travel the whole world around. At first, high-frequency machines were used, but their application was only local. Magnetism alone has the same limitations.

If only electrical energy, magnetism and a gentle heat could be made to reach all the tissues of the body at once, elimination would be general. So that wastes, removed from local spots would not be dumped onto other organs to cause new troubles! Thousands have studied the problem.

During seventeen years of patient, at times painful and discouraging effort, in literally thousands upon thousands of tests, the Vit-O-Net has worked its slow but sure way to that goal.

Even after perfection was obtained in the laboratory and in the factory, it was determined that Vit-O-Net should not be marketed to the general public until ample proof of its health-building properties had been established fully. For years it was sold principally to hospitals, physicians and sanitariums. These institutions have purchased blankets and used them regularly to relieve suffering and to save life.

Over 13,000 actual users by their grateful acknowledgment of recovery from all manner of "elimination diseases" attest the fact that Vit-O-Net not only has reached the solution of the problem, but has established its success by literally thousands of successful recoveries.

Vit-O-Net vibrates the cells! Gently, as though by thousands of invisible fingers!

Vit-O-Net stimulates cells and blood stream—every tiny particle of both! Vit-O-Net eliminates wastes! By arousing the human sewage system to action. Assimilation follows. Healthy cells, tissues, organs, bodies—all follow.

Vit-O-Net is not simply a heating and sweating device. Where the average heat treatment weakens, Vit-O-Net stimulates and increases energy. It has been notably successful with heart and anemia cases; also with aged people who cannot stand the weakening effect of ordinary heat treatments.

Under Faraday's Law, just as the wire loops in the dynamo pick up electric current, so the blood stream, moving through the magnetic field, becomes charged with tiny, minute currents of electricity. Although these minute electric currents are so small they scarcely are measurable, they are sufficient to stimulate the tiny cells of the body; a heavy current would have overwhelmed these tiny cells.

Movement of muscles in breathing or of the other organs of the body as they function, likewise charge them with electricity. Both the magnetic lines of force and the electrically charged blood stream reach every cell in the body—the cells in the very marrow of the bones just as readily as the cells of the skin. They stimulate each cell, the unit of life, to unload accumulation of waste directly into the blood stream and other waste channels. This explains why the Vit-O-Net produces results which cannot be obtained with any other form of treatment.

With the blood stream electrified and all the cells of the body receiving the electro-magnetic energy, and under their influences unloading waste into the proper channels, the cells become "hungry" for new nourishment, which is taken up eagerly; naturally each cell becomes sound and well. When all the cells in an organ or in a muscle are well, the organ or muscle is well; when all the organs and tissues are well, the body is well. There is no guess-work about it. Proof has been established in thousands of cases.

FAULTY ELIMINATION

Blood Pressure	Bright's Disease
Rheumatism	Stomach Troubles
Arthritis	Dropsy
Neuritis	Catarrh
Sciatica	Goitre
Pneumonia	Constipation
Flu	Auto-Intoxication
Uremia	Eczema
Kidney Cases	Diabetes
Liver Disorders	Women's Ailments
Asthma	Obesity
Colds	Hay Fever
Acne and Pimples	Neurasthenia
Nervousness	Varicose Veins
Insomnia	Social Diseases
Paralysis	Heart Diseases

How is it possible that all these ailments are being relieved by the same treatment. The answer is simple; they have one common cause—Faulty Elimination.

Findings

29 F. T. C.

IMPORTANT!

HEALTH SERVICE

Every purchaser of Vit-O-Net, who thus becomes a member of our Health Club, is entitled to *medical service* for himself and all members of his family, as long as he owns a Vit-O-Net. There is *no charge* for this service.

With each Vit-O-Net goes a Case History blank, which the purchaser is to fill out completely in his own words. There also is a container in which a sample for urinalysis may be sent our laboratories.

Our Health Division is under direction of a physician, an M. D., who also is a Master of Arts and a Fellow of the American Medical Association. He is anxious to work with your physician with only one object in view—*your health*.

Our laboratories are under direction of a nationally known technician. Advice, diets, and analyses from our Health Division may be submitted to any recognized authority for verification.

This service is yours, as long as you live!

All of said statements, together with similar statements, appearing in respondent's advertising literature, purport to be descriptive of respondent's said device and of its effectiveness in use. By the means and in the manner aforesaid, respondent, directly and by inference, through the statements and representations herein set out, and other statements and representations of similar import and effect, represents and implies that said device creates and diffuses so-called "electromagnetic energy" which is transmitted to the person within or under the protection of said device, thereby causing an increased activity and revitalization of the organs and cells of the body, charging the blood stream with such energy, resulting in an elimination of many times more poisons than is possible by any other method, and that the resulting stimulation of the various cells of the human body produces a cure of practically all of the diseases, ailments, and conditions which afflict mankind; that the following diseases, ailments, and conditions can be cured through the use of said device because said device corrects faulty elimination which respondent claims is responsible for said diseases, ailments, and conditions: Blood pressure, rheumatism, arthritis, neuritis, sciatica, pneumonia, flu, uremia, kidney cases, liver disorders, asthma, colds, acne and pimples, nervousness, insomnia, paralysis, Bright's disease, stomach troubles, dropsy, catarrh, goiter, constipation, autointoxication, eczema, diabetes, women's ailments, obesity, hay fever, neurasthenia, varicose veins, social diseases, heart diseases; that said device is created and manufactured for practical application of the biological, chemical, and other scientific discoveries and theories of well-known scientists and as the result of painstaking and long experiments and tests; that said device is used, endorsed and recommended by prominent and well-known physicians, scientists and other persons and by hospitals, schools, and various other institutions,

and that such endorsements and recommendations are based upon extensive medical and scientific research by such persons and institutions; and that said device possesses therapeutic properties and values other than those resulting from the heat produced thereby.

By the means and in the manner aforesaid, respondent represents that he maintains a health division under the supervision and direction of a physician, operating a laboratory in connection therewith, which gives medical advice to, and makes analyses for, purchasers of said device; and that respondent renders a medical service to purchasers of said device and their families so long as said purchasers own said device.

In truth and in fact, respondent's said device does not create and diffuse so-called "electromagnetic energy" which is transmitted to the person within or under the protection of said device, thereby causing an increased activity and revitalization of the organs and cells of the body, and it does not charge the blood stream with such "energy" nor does it result in an elimination of many times more poisons from the system than is possible by any other method; and its use does not result in a stimulation of the various cells of the human body or produce a cure of practically all the diseases, ailments, and conditions which afflict mankind. The use of said device will not cure blood pressure (high or low), rheumatism, arthritis, neuritis, sciatica, pneumonia, flu, uremia, kidney cases, liver disorders, asthma, colds, acne and pimples, nervousness, insomnia, paralysis, Bright's disease, stomach troubles, dropsy, catarrh, goiter, constipation, autointoxication, eczema, diabetes, women's ailments, obesity, hay fever, neurasthenia, varicose veins, social diseases, and heart diseases. Said device is not beneficial in the treatment of any of said diseases, ailments and conditions, except in such instances where the direct application of heat over an extended area is beneficial. Said device was not created and manufactured for practical application of the biological, chemical, and other scientific discoveries and theories of well-known scientists and as the result of painstaking and long experiments and tests; and said device is not used, endorsed, and recommended by prominent and well-known physicians, scientists, and other prominent and well-known persons, nor is it used by hospitals, schools and various other institutions and it has not been tested or endorsed by such institutions and such persons after extensive medical and scientific research. Said device does not possess any therapeutic values or properties other than as a producer of heat for direct application to extended areas of the body. Respondent's representations and claims as to the therapeutic value and usefulness of said device are false or grossly exaggerated and greatly exceed those which might truthfully be made for said device.

Conclusion

29 F. T. C.

In truth and in fact, respondent does not maintain a health division, under the supervision and direction of a physician, and does not operate a laboratory in connection therewith, nor does he give competent medical advice to, or make scientific analyses for, purchasers of said device; nor does respondent maintain any medical service for purchasers of said device and their families so long as said purchasers own said device. In truth and in fact, respondent renders no health or laboratory service of any kind to purchasers of said device.

PAR. 3. The device offered for sale and sold by the respondent as aforesaid is an instrument, apparatus, or contrivance intended for use in the cure, mitigation, treatment, or prevention of disease in man and which is intended to affect the structure or some function of the body of man. The advertisements, containing the statements and the representations and implications hereinabove set out, constitute false advertisements in that such advertisements are misleading in material respects as hereinabove alleged, which are disseminated in commerce as aforesaid for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of said device.

PAR. 4. The use by the respondent of the aforesaid false, deceptive, and misleading statements, representations, and implications with respect to said device, and the services rendered to purchasers thereof, and the dissemination of said false advertisements in commerce as aforesaid, has had, and now has, the capacity and tendency to, and does, mislead and deceive a substantial portion of the purchasing public into the erroneous and mistaken belief that such statements, representations, and implications, and said false advertisements, are true and that said device possesses the curative and therapeutic properties and values claimed and that it is used, recommended, and approved by the persons and institutions named and is the result of the medical and scientific experiments enumerated; and that the respondent maintains a health division, under the supervision and direction of a competent physician, and a laboratory, staffed by competent technicians, for the dissemination of advice to, and the making of analyses for, purchasers of said device, and into the purchase of respondent's said device, as a result of such erroneous and mistaken beliefs induced by the aforesaid acts and practices of the respondent.

CONCLUSION

The aforesaid acts and practices of respondent, as herein found, are all to the prejudice and injury of the public, and constitute unfair and deceptive acts and practices in commerce within the intent and meaning of the Federal Trade Commission Act.

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, testimony and other evidence taken before Randolph Preston, an examiner of the Commission, theretofore duly designated by it, in support of the allegations of the amended complaint, and the answer of the respondent, in which answer respondent admits all material allegations of fact set forth in the amended complaint, and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act.

It is ordered, That respondent, Fred Adelman, also known as Frank Adelman, an individual, whether trading under either of said names or as Vit-O-Net Co., Vit-O-Net Corporation, or Electric Blanket Co. or any other name, his representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from:

Disseminating, or causing to be disseminated, any advertisement by means of the United States mails or in commerce, as "commerce" is defined in the Federal Trade Commission Act, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of an electrical device described and designated as a blanket which is now sold under the name "Vit-O-Net" and various other names, or any other device of similar design and construction or possessing similar properties, whether sold under the name "Vit-O-Net" or any other trade name; or disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing or which is likely to induce directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said device or any device of similar construction or possessing similar properties, which advertisements represent, directly or through implication, that said device is created and manufactured for the practical application of the biological, chemical, and other scientific discoveries and theories of well-known scientists and is the result of painstaking and long experiments and tests; that said device sets up a radiomagnetic energy which is transmitted to the person within or under its protection, thus causing an increased activity and revitalizing of the organs and cells of the body, a charging of the blood stream with electromagnetic energy, an elimination of many times more poisons and waste matter than is possible by any other method, and a magnetic stimulation of the

various cells of the human body with a resulting cure of any disease or ailment with which the person using the product may be suffering; that said device has been tested and endorsed by prominent and well-known physicians, scientists, or other prominent and well-known persons, or by hospitals and other institutions for medical and scientific research, when such are not the facts; that said device is an amazing discovery, aids nature to eliminate the wastes and poisons responsible for high or low blood pressure, rheumatism, arthritis, neuritis, sciatica, pneumonia, flu, uremia, kidney cases, liver disorders, asthma, colds, acne and pimples, nervousness, insomnia, paralysis, Bright's disease, stomach troubles, dropsy, catarrh, goitre, constipation, auto-intoxication, eczema, diabetes, women's ailments, obesity, hay fever, neurasthenia, varicose veins, social diseases, heart diseases; has therapeutic value in all diseases known to man and creates new energy, new vitality, and is wonderful for, and soothing to, the nerves; that said device produces radiomagnetic or electromagnetic energy which is transmitted to, and has an effect on, the human body, or that it has any curative, remedial, or therapeutic effect at all on the human body other than that which would be produced by, and as a consequence of, the heat generated by said device; and that purchasers of said device and their families, as long as they own said device, secure through a health division and laboratory, maintained under the supervision and direction of a competent physician, scientific analyses, and complete medical service.

It is further ordered, That the respondent shall, within 30 days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

Syllabus

IN THE MATTER OF
THE KNOX COMPANYCOMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 28, 1914*Docket 3597. Complaint, Sept. 19, 1938—Decision, Aug. 1, 1939*

Where a corporation engaged in sale and distribution of "Cystex" and "Mendaco," proprietary preparations respectively advertised and sold as remedies for kidney and bladder disorders and for asthma; in advertisements which it disseminated in commerce through newspapers and periodicals of general circulation throughout the various States, and through continuities broadcast from radio stations of extrastate audience—

- (a) Represented that said "Cystex" was an adequate remedy or cure for ailments, disorders and diseased conditions of the kidneys and bladder, irrespective of the cause or condition thereof, both through direct statements to that effect and indorsements attributed to various doctors; and
- (b) Represented that the presence of symptoms, including swollen joints, leg and rheumatic pains, backaches, nervousness, dizziness, circles under the eyes, excess acidity, or loss of energy, and others, were indicative of ailments or diseased conditions which could be successfully treated by use of said preparation;

Facts being ailments, disorders, and diseased conditions of the kidneys or bladder often arise from, are due to, or persist because of systemic or organic derangement of some character, said preparation, in such cases, does not constitute cure or remedy for such ailments and disorders and is not adequate or competent treatment therefor, nor for all nonorganic or nonsystemic cases due to such conditions, irrespective of cause, and various symptoms mentioned in its advertising as being indicative of kidney or bladder derangement may also be symptoms of conditions disassociated from said organs, and presence of such symptoms does not positively indicate derangement of kidney or bladder, and functional disorders of said organs may sometimes arise from organic disturbances, and said preparation is not cure or remedy or adequate treatment for such disorders; and

- (c) Represented, as aforesaid, that said "Mendaco" was a cure or remedy or effective treatment for asthma, and permanently relieved symptoms thereof, such as choking, etc., and possessed therapeutic value in treatment of said ailment; and
- (d) Represented that said "Mendaco" stimulated and refreshed the blood and promoted body metabolism;

Facts being said ailment is caused by sensitization to some foreign protein or other varying causes which may not be readily determined, effective and adequate treatment thereof necessitates determination of cause or causes of disorder, and direct treatment thereof, and said "Mendaco" does not constitute such remedy or cure or adequate or effective treatment for said condition, and does not permanently remove the symptoms thereof, or possess therapeutic value in excess of furnishing, in some cases, temporary relief from said symptoms, and does not purify, stimulate, refresh, or have any beneficial effect on blood, or promote body metabolism;