

IN THE MATTER OF

JACOB L. GOLDMAN, ALIAS J. L. COLEMAN, TRADING AS
ATLAS HEALTH APPLIANCE COMPANYCOMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914*Docket 4291. Complaint, Aug. 29, 1940—Decision, Dec. 4, 1940*

Where an individual engaged in interstate sale and distribution of device or apparatus designated Atlas Short Wave Diathermy, in advertisements of said device which he disseminated and caused to be disseminated through the mails and by various other means in commerce, and by advertisements in newspapers, radio continuities, circulars, leaflets, pamphlets, and other advertising literature, and otherwise, and which were intended and likely to induce purchase of his said product —

- (a) Represented that said device, when used by the unskilled lay public in the treatment of self-diagnosed diseases or ailments, and by individual self-application in the home, constituted a scientific, safe, harmless, and effective means and method for the cure and effective treatment of numerous diseases and ailments having to do, as set forth by him, with head, skin, throat, stomach area, chest, and male and female disorders, and including also high blood pressure, arthritis, neuritis, and various other ailments and conditions, and, expressly and by implication, that he was trained and experienced in physical therapy and in the technique of diagnosing and treating pathological conditions by application of short-wave diathermy;

Facts being he was not thus trained and experienced, and such device would not accomplish results claimed therefor by him, and was not a scientific, safe, harmless, or effective means and method for use by the unskilled lay public in the cure or treatment of self-diagnosed diseases and ailments, as set forth by him, but such self-application by layman, by reason of technical inexperience, might result in severe electric burn through improperly adjusted electrode, and might cause serious injury to health, thus used in treatment of self-diagnosed diseases and ailments, and might, among various other results, lead to peritonitis and blood poisoning in various conditions of acute inflammation, to serious or fatal hemorrhage when applied in any conditions where there is a tendency thereto or in which congestion would aggravate existing trouble, to abortion when applied by layman during pregnancy, and in stimulating growth of cancer cells and metastasis or in spreading the trouble to other tissues when applied to areas which might be affected by malignant tumors, and in tissue destruction and severe burns where sense of heat in said areas of the skin might have been lost due to injury or impairment of nerves involved; and

- (b) Failed to reveal in said advertisements disseminated by him as aforesaid, that use of said device under conditions prescribed in such advertisements or under such conditions as are customary or usual, might result in serious and irreparable injury to health;

With effect of misleading and deceiving substantial portion of purchasing public into erroneous and mistaken belief that such statements, representations;

and advertisements were true, and of inducing portion of said public, because of such erroneous and mistaken belief, to purchase his said device: *Held*, That such acts and practices, under the circumstances set forth, were all to the prejudice and injury of the public and constituted unfair and deceptive acts and practices in commerce.

Mr. Maurice C. Pearce for the Commission,

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 Jacob L. Goldman, alias J. L. Coleman, an individual, trading as Atlas Health Appliance Co., hereinafter referred to as respondent, has violated the provisions of the 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 complaint, stating its charges in that respect as follows:

PARAGRAPH 1. Respondent, Jacob L. Goldman, alias J. L. Coleman, is an individual trading as Atlas Health Appliance Co., with his office and principal place of business at 2430 West Sixth Street, Los Angeles, Calif., from which address he transacts business under the above trade name.

PAR. 2. The respondent is now, and for more than 1 year last past has been, engaged in the sale and distribution of a certain device or apparatus designated Atlas Short Wave Diathermy.

In the course and conduct of his business, the respondent causes said device when sold, to be transported from his place of business in the State of California to purchasers thereof located in other States of the United States and in the District of Columbia.

At all times mentioned herein, respondent has maintained a course of trade in said device, sold and distributed by him, in commerce between and among the various States of the United States and in the District of Columbia.

PAR. 3. In the course and conduct of his aforesaid business, the respondent has disseminated and is now disseminating, and has caused and is now causing the dissemination of, false advertisements concerning his said device by the United States mails and by various other means in commerce, as commerce is defined in the Federal Trade Commission Act, and respondent has also disseminated and is now disseminating, and has caused and is now causing the dissemination of, false advertisements concerning his said product, by various means, for the purpose of inducing, and which are likely to induce, directly or indirectly, the purchase of his said product in commerce, as commerce is defined in the Federal Trade Commission Act.

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Among and typical of the false, misleading, and deceptive statements and representations contained in said false advertisements, disseminated and caused to be disseminated, as hereinabove set forth, by the United States mails, by advertisements in newspapers, by radio continuities, and by circulars, leaflets, pamphlets, and other advertising literature, are the following:

The Atlas Short Wave Diathermy enables you to enjoy its many benefits in your own home.

Simplicity of operation is made possible for self-treatment without an attendant.

Self-treatments with the Atlas, whether for acute or chronic ailments, are very easily administered.

Although for some time only professionally available, Short Wave Diathermy may now be used by yourself in the privacy of your own home.

The various ailments which readily respond to this pleasant yet effective method of treatment include the following:

HEAD	SKIN	THROAT
sinus	boils	asthma
neuralgia	abscesses	laryngitis
hay fever	carbuncles	tonsillitis
headache	infections	irritations
colds		
STOMACH		
AREA	CHEST	MALE
gastritis	bronchitis	DISORDERS
colonic disorders	pneumonia	prostate
constipation	colds	inflammation
pleurisy		of bladder
lumbago		
kidney		
liver		
		FEMALE
		DISORDERS
		menstrual pains
		pelvic inflammation
	also	
High Blood Pressure		Muscular Ailments
Arthritis		Insomnia
Neuritis		Indigestion
Inflamed Joints		Anemia
Sprains		Impetigo

and other ailments

Inflammation in various parts of the body known to us by many different names, causes untold suffering. In this field, Short Wave Diathermy is most beneficial.

Marked success has been met with in treating pelvic conditions and relieving menstrual pains.

The use of Atlas Short Wave Diathermy is always safe, harmless and health improving.

For interesting clinical reports, be sure to check your ailment and mail, or state ailment when writing.

Arthritis	Boils	Colonic Disorders
Asthma	Neuritis	Chronic Coughs
Sinusitis	Hi-Blood pres.	Pleurisy
Kidneys	Bladder Trouble	Rheumatism
Lumbago	Colds	Headaches
Prostate	Female Trouble	

Atlas Short Wave Diathermy accords its users amazing results.

Hardly a day passes that we're not asked whether our device is good for this disease or such a condition and which, after investigation, we have to report in the negative. If it is in the positive we do not hesitate to state our findings just as surely as we do not believe in hiding our light under a bushel.

Our technician will gladly give you this test when you call us for a home demonstration.

The soothing penetrating heat of Short Wave Diathermy creates—in effect—a mild, artificial fever in the affected part, and definitely aids in killing bacteria.

PAR. 4. By the use of the representations hereinabove set forth and other representations similar thereto not specifically set out herein, respondent represents that his device, designated as Atlas Short Wave Diathermy, when used by the unskilled lay public in the treatment of self-diagnosed diseases or ailments of the human body by individual self-application in the home, is a scientific, safe, harmless, and effective means and method for the cure and effective treatment of the diseases and ailments and other ailments of the human body set forth in detail in paragraph 3; that it definitely aids in killing bacteria and that its use will have no ill effects upon the human body.

Furthermore, said respondent represents expressly and by implication that he is trained and experienced in physical therapy and in the technique of diagnosing and treating pathological conditions of the human body by the application of short-wave diathermy.

PAR. 5. The foregoing representations are grossly exaggerated, false, and misleading. The said device will not accomplish the results claimed by the respondent and is not a scientific, safe, harmless, or effective means and method to be used by the unskilled lay public in the cure or treatment of self-diagnosed diseases and ailments of the human body set forth in detail in paragraph 3 hereof by individual self-application in the home.

Furthermore, said respondent is not trained and experienced in physical therapy or in the technique of diagnosing and treating pathological conditions of the human body by the application of short-wave diathermy.

PAR. 6. In addition to the representations hereinabove set forth, the respondent has also engaged in the dissemination of false advertise-

ments in the manner above set forth, in that said advertisements so disseminated, fail to reveal that the use of said device under the conditions prescribed in said advertisements or under such conditions as are customary or usual, may result in serious and irreparable injury to health.

PAR. 7. In truth and in fact, the device sold and distributed by the respondent as aforesaid, designated as Atlas Short Wave Diathermy, is composed principally of a short-wave generator housed in a portable cabinet. The current is a modified Couplitt Circuit, using a transformer of 1,150 volts (half-wave), two Taylor T-55 tubes, plus the regular chokes for proper control. The output is on approximately a 16 meter wave length. The power output is 125 to 150 watts calibrated on a photoelectric watt meter. Under ordinary lamp load, it may be considered as 160 to 175 watts output. No cable is used with this apparatus as it is not adapted for this modality. Power is transmitted by two insulated condenser pads 6 by 8 inches, or by a small 4 by 7 inch pad used in connection with one of the larger pads.

The self-application of this device may cause serious injury to health when used by the unskilled lay public in the treatment of self-diagnosed diseases and ailments of the human body.

By reason of technical inexperience on the part of laymen, an improperly adjusted electrode may produce a spark gap between the electrode and the skin causing severe electric burn.

The use of said device, under the conditions prescribed in said advertisements or under such conditions as are customary or usual, by the unskilled lay public, may result in serious or irreparable injury to health.

Specifically such use, as aforesaid, may result in: Peritonitis and blood poisoning, in conditions of acute inflammation, such as boils, carbuncles, acute arthritis due to infection, acute pelvic infection in the female, acute cystitis, acute sinus infections, tonsillitis, lung abscess, appendicitis, and acute prostatitis; serious or fatal hemorrhage when applied in any conditions where there is a tendency to hemorrhage or in which congestion of the blood would aggravate existing troubles, such as varicose veins, gastric ulcer, ulcerative colitis, menstruation, and female disorders such as menorrhagea, dysmenorrhea from retroversion or anteversion of the uterus, subinvolution of the uterus from any cause, uterine infections and chronic pelvic inflammatory diseases; abortion, followed by subinvolution, putrefaction or infection with disastrous results in most cases when said device is applied by the layman during pregnancy; stimulating the growth of cancerous cells, metastasis or in spreading the trouble to other tissues when diathermy is applied to areas which

may be affected by malignant tumors and in those areas of the skin where the sense of heat has been lost due to injury or impairment of the peripheral nerves, the application of diathermy may result in tissue destruction and severe burns.

PAR. 8. The use by the respondent of the foregoing false, deceptive, and misleading advertisements with respect to his device, disseminated as aforesaid, had 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 advertisements are true and induce a portion of the purchasing public, because of such erroneous and mistaken belief, to purchase respondents' said device.

PAR. 9. The foregoing 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 the 29th day of August 1940, issued and thereafter served its complaint in this proceeding upon respondent, Jacob L. Goldman, alias J. L. Coleman, an individual, trading as Atlas Health Appliance Co., charging him with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of said act. Subsequently, the respondent filed his answer, in which answer he admitted all of the material allegations of fact set forth in said complaint and waived all intervening procedure and further hearing as to said facts. Thereafter, the proceeding regularly came on for final hearing before the Commission on the said complaint and the answer thereto, and the Commission having duly considered the matter, and being now fully advised in the premises, 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. Respondent, Jacob L. Goldman, alias J. L. Coleman, is an individual trading as Atlas Health Appliance Co., with his office and principal place of business at 2430 West Sixth Street, Los Angeles, Calif., from which address he transacts business under the above trade name.

PAR. 2. The respondent is now, and for more than 1 year last past has been engaged in the sale and distribution of a certain device or apparatus designated Atlas Short Wave Diathermy.

In the course and conduct of his business, the respondent causes said device, when sold, to be transported from his place of business in the State of California to purchasers thereof located in other States of the United States and in the District of Columbia.

At all times mentioned herein, respondent has maintained a course of trade in said device, sold and distributed by him, in commerce between and among the various States of the United States and in the District of Columbia.

PAR. 3. In the course and conduct of his aforesaid business, the respondent has disseminated and is now disseminating, and has caused and is now causing the dissemination of, false advertisements concerning his device by the United States mails and by various other means in commerce, as commerce is defined in the Federal Trade Commission Act, and respondent has also disseminated and is now disseminating, and has caused and is now causing the dissemination of, false advertisements concerning his product, by various means, for the purpose of inducing, and which are likely to induce, directly or indirectly, the purchase of his product in commerce, as commerce is defined in the Federal Trade Commission Act.

Among, and typical of, the false, misleading, and deceptive statements and representations contained in said false advertisements, disseminated and caused to be disseminated, as hereinabove set forth, by the United States mails, by advertisements in newspapers, by radio continuities, and by circulars, leaflets, pamphlets, and other advertising literature, are the following:

The Atlas Short Wave Diathermy enables you to enjoy its many benefits in your own home.

Simplicity of operation is made possible for self-treatment without an attendant.

Self-treatments with the Atlas, whether for acute or chronic ailments, are very easily administered.

Although for some time only professionally available, Short Wave Diathermy may now be used by yourself in the privacy of your own home.

The various ailments which readily respond to this pleasant yet effective method of treatment include the following:

HEAD	SKIN	THROAT
sinus	boils	asthma
neuralgia	abscesses	laryngitis
hay fever	carbuncles	tonsillitis
headache	infections	irritations
colds		

Findings

STOMACH AREA

gastritis
colonic dis-
orders
constipation
pleurisy
lumbago
kidney
liver

CHEST

bronchitis
pneumonia
colds

MALE DISORDERS

prostate
inflammation
of bladder

FEMALE DISORDERS

menstrual pains
pelvic inflammation

also

High blood pressure
Arthritis
Neuritis
Inflamed joints
Sprains

Muscular ailments
Insomnia
Indigestion
Anemia
Impetigo

and other ailments.

Inflammation in various parts of the body known to us by many different names, causes untold suffering. In this field, Short Wave Diathermy is most beneficial.

Marked success has been met with in treating pelvic conditions and relieving menstrual pains.

The use of Atlas Short Wave Diathermy is always safe, harmless and health improving.

For interesting clinical reports, be sure to check your ailment and mail, or state ailment when writing.

Arthritis
Asthma
Sinusitis
Kidneys
Lumbago
Prostate

Neuritis
Boils
Hi-blood pres.
Bladder Trouble
Colds
Female Trouble

Colonic Disorders
Chronic Cough
Pleurisy
Rheumatism
Headaches

Atlas Short Wave Diathermy accords its users amazing results.

Hardly a day passes that we're not asked whether our device is good for this disease or such a condition and which, after investigation, we have to report in the negative. If it is in the positive we do not hesitate to state our findings just as surely as we do not believe in hiding our light under a bushel.

Our technician will gladly give you this test when you call us for a home demonstration.

The soothing, penetrating heat of Short Wave Diathermy creates—in effect—a mild, artificial fever in the affected part, and definitely aids in killing bacteria.

PAR. 4. By the use of the representations hereinabove set forth and other representations similar thereto not specifically set out herein, respondent represents that his device, designated as Atlas Short Wave Diathermy, when used by the unskilled lay public in the treatment of self-diagnosed diseases or ailments of the human body by individual self-application in the home, is a scientific, safe, harmless, and effective means and method for the cure and effective

Findings

32 F. T. C.

treatment of the diseases and ailments and other ailments of the human body set forth in detail in paragraph 3; that it definitely aids in killing bacteria and that its use will have no ill effects upon the human body.

Furthermore, said respondent represents expressly and by implication that he is trained and experienced in physical therapy and in the technique of diagnosing and treating pathological conditions of the human body by the application of short wave diathermy.

PAR. 5. The foregoing representations are grossly exaggerated, false, and misleading. The device will not accomplish the results claimed by the respondent and is not a scientific, safe, harmless, or effective means and method to be used by the unskilled lay public in the cure or treatment of self-diagnosed diseases and ailments of the human body set forth in detail in paragraph 3 hereof by individual self-application in the home.

Furthermore, respondent is not trained and experienced in physical therapy or in the technique of diagnosing and treating pathological conditions of the human body by the application of short wave diathermy.

PAR. 6. In addition to the representations hereinabove set forth, the respondent has also engaged in the dissemination of false advertisements in the manner above set forth, in that said advertisements so disseminated, fail to reveal that the use of said device under the conditions prescribed in said advertisements or under such conditions as are customary or usual, may result in serious and irreparable injury to health.

PAR. 7. In truth and in fact, the device sold and distributed by the respondent as aforesaid, designated as Atlas Short Wave Diathermy, is composed principally of a short-wave generator housed in a portable cabinet. The current is a modified Coulpitt Circuit, using a transformer of 1,150 volts (half-wave), two Taylor T-55 tubes, plus the regular chokes for proper control. The output is on approximately a 16 meter wave length. The power output is 125 to 150 watts calibrated on a photoelectric watt meter. Under ordinary lamp load, it may be considered as 160 to 175 watts output. No cable is used with this apparatus as it is not adapted for this modality. Power is transmitted by two insulated condenser pads 6 by 8 inches, or by a small 4 by 7 inch pad used in connection with one of the larger pads.

The self-application of this device may cause serious injury to health when used by the unskilled lay public in the treatment of self-diagnosed diseases and ailments of the human body.

By reason of technical inexperience on the part of laymen, an improperly adjusted electrode may produce a spark gap between the electrode and the skin, causing severe electric burn.

The use of said device, under the conditions prescribed in said advertisements or under such conditions as are customary or usual, by the unskilled lay public may result in serious or irreparable injury to health.

Specifically such use, as aforesaid, may result in: Peritonitis and blood poisoning, in conditions of acute inflammation, such as boils, carbuncles, acute arthritis due to infection, acute pelvic infection in the female, acute cystitis, acute sinus infections, tonsillitis, lung abscess, appendicitis, and acute prostatitis; serious or fatal hemorrhage when applied in any conditions where there is a tendency to hemorrhage or in which congestion of the blood would aggravate existing troubles, such as varicose veins, gastric ulcer, ulcerative colitis, menstruation, and female disorders, such as menorrhagea, dysmenorrhea from retroversion or anteversion of the uterus, subinvolution of the uterus from any cause, uterine infections and chronic pelvic inflammatory diseases; abortion, followed by subinvolution, putrefaction of infection with disastrous results in most cases when said device is applied by the layman during pregnancy; stimulating the growth of cancerous cells, metastasis or in spreading the trouble to other tissues when diathermy is applied to areas which may be affected by malignant tumors, and in those areas of the skin where the sense of heat has been lost due to injury or impairment of the peripheral nerves, the application of diathermy may result in tissue destruction and severe burns.

PAR. 8. The use by the respondent of the foregoing false, deceptive, and misleading advertisements with respect to his device, disseminated 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 advertisements are true and induces a portion of the purchasing public, because of such erroneous and mistaken belief, to purchase respondent's device.

CONCLUSION

The foregoing acts and practices of the 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 complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said 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 the respondent, Jacob L. Goldman, alias J. L. Coleman, an individual, trading as Atlas Health Appliance Co., or trading under any other name or names, his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of his device designated as "Atlas Short Wave Diathermy" or any other device of substantially similar construction, whether sold under the same name or any other name or names, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails, or (b) by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or through inference, that respondent is trained or experienced in physical therapy or in the technique of diagnosing or treating pathological conditions; that respondent's device when used by the unskilled lay public constitutes a scientific, safe, harmless or effective means or method for the treatment of:

Sinus, sinusitis, neuralgia, hay fever, headache, colds, boils, abscesses, carbuncles, infections, asthma, laryngitis, tonsillitis, throat irritations, chronic coughs, gastritis, colonic disorders, constipation, pleurisy, lumbago, kidney disorders, liver disorders, bronchitis, pneumonia, prostate disorders, inflammation of bladder, menstrual pains, pelvic inflammation, high blood pressure, arthritis, neuritis, inflamed joints, sprains, rheumatism, muscular ailments, insomnia, indigestion, anemia, or impetigo, or that said device aids in killing bacteria;

or which advertisement fails to reveal that the unsupervised use of said device by persons not skilled in the diagnosis, analysis, and methods of treatment of disease may result in serious and irreparable injury to health.

2. 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 by the Federal Trade Commission Act, of said device, which advertisement contains any of the representations prohibited in paragraph 1 hereof; or which advertisement fails to reveal that the unsupervised use of said device by persons not skilled in the diagnosis, analysis, and methods of treatment of disease may result in serious and irreparable injury to health.

It is further ordered, That the respondent shall, within 10 days after service upon him of this order, file with the Commission an interim report in writing, stating whether he intends to comply with this order, and, if so, the manner and form in which he intends to comply, and that within 60 days after service upon him of this order said respondent shall file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

IN THE MATTER OF
BELL & COMPANY, INC.

COMPLAINT, FINDINGS, AND ORDER IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 5 OF AN ACT OF CONGRESS APPROVED SEPT. 26, 1914

Docket 2859. Complaint, June 30, 1936—Decision, Dec. 10, 1940

Where a corporation engaged in manufacture, interstate sale and distribution of its "Bell-Ans" medicinal preparation for various digestive disorders, in substantial competition with others engaged in sale and distribution, in commerce as aforesaid, of other medicinal preparations designed to counteract indigestion and various digestive disorders; in extensively advertising its said product through newspapers of general circulation and advertisements in street and subway cars—

- (a) Represented that its said "Bell-Ans" was a cure or remedy for indigestion and constituted a competent and effective treatment therefor, and would correct sour stomach and other digestive disturbances due to acid conditions, facts being it was not a cure or remedy for indigestion and had no beneficial therapeutic value in treatment thereof, in excess of furnishing temporary relief when such disorder was due to gastric hyperacidity, and it would not correct sour stomach or digestive disturbances due to acid condition or have any value in the treatment of such conditions, in excess of furnishing temporary relief as above noted;
- (b) Represented that use of its said "Bell-Ans" would afford permanent relief from various symptoms of digestive disorders, such as flatulence, vertigo, dizziness, weakness, vomiting, nausea, and other distress, sour stomach, pain, sick headache, heartburn, and biliousness, and also from the discomforts associated with overeating, drinking, smoking, and irregular meals, facts being use of said "Bell-Ans" would not afford permanent relief from various symptoms of digestive disorders as above enumerated, and such product had no beneficial therapeutic value in treatment thereof, in excess of furnishing temporary relief when they were due to gastric hyperacidity; and
- (c) Represented that said preparation was a cure or remedy for condition described as "acid urine," facts being such condition was not due to excess acid, but to deficiency thereof, and use of preparation in question would have no value in treatment thereof;

With effect of misleading and deceiving substantial portion of purchasing public into erroneous and mistaken belief that said representations were true, and of thereby inducing said public, because of such erroneous belief, to purchase its said preparation, and with result that trade was diverted to it from its competitor manufacturers, retailers or distributors of other preparations for treatment of digestive disorders, and who truthfully advertise their said products and effectiveness and therapeutic value thereof:

Held, That such acts and practices, under the circumstances set forth, were all to the prejudice of the public and competitors, and constituted unfair methods of competition in commerce.