

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

UNITED STATES OF AMERICA,

Plaintiff

v.

THE WILHELM REICH FOUNDATION,
a Maine Corporation, WILHELM
REICH and ILSE OLLENDORFF,

Defendants

CIVIL ACTION NO. 1056

COMPLAINT FOR INJUNCTION

The United States of America, plaintiff herein, by and through Peter Mills, United States Attorney for the District of Maine, files this Complaint for Injunction and respectfully represents unto this Honorable Court as follows:

1. This proceeding is brought under Section 302(a) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 332(a)], hereinafter referred to as the "Act", specifically investing the several United States District Courts with jurisdiction to enjoin and restrain violations of Section 301 of said Act [21 U.S.C. 331] as hereinafter more fully appears.

2. The defendant, The Wilhelm Reich Foundation, is a Maine corporation, hereinafter called the "Foundation", having its principal place of business at Rangeley, Maine. The defendant Wilhelm Reich is an individual who resides at Rangeley, Maine. The said defendants manufacture and have been and now are introducing and causing to be introduced, and delivering and causing to be delivered for introduction into interstate commerce in violation of 21 U.S.C. 331(a) ergone energy accumulators, devices within the meaning of 21 U.S.C. 321(h), which are adulterated within the meaning of 21 U.S.C. 351(c) and misbranded within the meaning of 21 U.S.C. 352(a), and further, said defendants have been

and now are causing said devices to be adulterated and misbranded within the meaning of 21 U.S.C. 351(c) and 352(a) while held for sale after shipment in interstate commerce in violation of 21 U.S.C. 331(k), all, as hereinafter appears. The defendant, Ilse Ollendorff, also known as Mrs. Wilhelm Reich, is an individual who resides at Rangeley, Maine, who holds and has held responsible managerial positions in the conduct of the business and affairs of The Wilhelm Reich Foundation, such as, member of the board of trustees, treasurer, secretary, and administrator of the Foundation, administrative director of Orgone Institute Research Laboratories, Inc., an affiliate of the Foundation; supervisor and in charge of the distribution of said orgone energy accumulator devices and the Orgone Research Fund.

3. The orgone energy accumulator device is available in several styles and models. The box style orgone energy accumulators are designed to stand upright and are large enough to permit an adult to sit inside. (See Exhibit A attached). The height, width, and depth are each several inches less than those of the ordinary telephone booth. The top, bottom, sides, and door are similarly constructed. Each is made with alternating layers of organic and metallic material. The outer layer may be of celotex or plywood, then alternating layers of steel wool and rock or glass wool and the inside layer is galvanized sheet metal. In recent years plastic wire mesh has been used as a substitute for the sheet metal. A device with six layers is called a three-fold orgone energy accumulator. One with two additional layers is called four-fold and progressively so as the layers increase. The door is hinged to one side, and usually either has an open window or has portions cut out at the top and bottom for ventilation. There is a two-section removable seat made in layers as described above. A small section is cut out at a corner of the

seat for the insertion of a length of B-X type hollow cable, into the other end of which a funnel may be placed. The drop section may be used as a chestboard by placing it upright in front of the chest of a person sitting in the box. Chestboards are also made and sold separately. Attached and marked "Exhibit A" is page 31 of a booklet entitled THE ORGONE ENERGY ACCUMULATOR Its Scientific and Medical Use showing a box style orgone energy accumulator device, equipped with a two-section seat, chestboard, and funnel arrangement.

4. A "Shooter" type orgone energy accumulator device is a box about one cubic foot in size, all sides of which are made in the manner described in the preceding paragraph. It is equipped with a B-X type hollow cable into which a funnel may be inserted. Attached and marked "Exhibit C" is page 37 of the booklet from which Exhibit A is taken, showing a "shooter" orgone energy accumulator device.

5. The blanket style orgone energy accumulator device is constructed of wire mesh with several alternating layers of organic and metallic material covered on the outside with plastic. It is made in three portions which may fold down flat. It is for use in bed or local application. One section may be placed under the mattress and the other two over the patient. Attached hereto and marked "Exhibit B" and "Exhibit D", respectively, are pages 32 and 38 of the booklet described in Exhibit A, which pages show how the said blanket style may be used in bed and for local application.

6. The funnel style orgone energy accumulator device is also constructed of wire mesh with several alternating layers of organic and metallic material covered with plastic. An example of the use of said funnel style is shown on page 39 of the above described booklet, which is attached hereto and marked "Exhibit E". The picture shows an earlier style metal funnel orgone energy

accumulator device insulated on the outside with cotton and tape.

7. The orgone energy accumulator device is not connected with or plugged into any source of electrical or any other type of energy or power.

8. In the interstate distribution of the orgone energy accumulator devices the said defendants offer them for sale at the following prices:

<u>Style</u>	<u>Price</u>
Cabinet	\$ 225.00
Chestboard	15.00
"Shooter"	40.00
Funnel	25.00
Blanket	60.00

The said defendants also offer for rent cabinet style orgone energy accumulator devices for an advance "contribution" of \$40 plus a \$10 monthly "contribution" payable in advance. The said defendants recommend unless a person has used an orgone energy accumulator device and is well acquainted with its effects that he rent for a three months trial period. If it is decided then to purchase, the \$40 "contribution" and \$30 rental are credited to the purchase price. At the end of a two year rental period reapplication is to be made for the rental of the device or it is to be returned to the defendants.

9. Prospective purchasers of the device may learn about it in several ways. They may hear of it in conversation with persons acquainted with the device; through advertising campaigns conducted by the defendants in newspapers, journals, and in magazines which promote the sales of books, periodicals, booklets, journals, bulletins, and other publications of the defendants. Such advertising announces the existence, availability, and prices of defendants' publications on the discovery and medical use of orgone

energy by employing the orgone energy accumulator. They may also learn of the same by such announcements appearing on the removal covers of defendants' said books and on the inside and outside permanent covers of said booklets, pamphlets, and journals; by exhibitions of defendants' publications at booksellers and library association conventions and conferences; by listings in book reference sources; by the use of a mailing list containing approximately 7500 names; by means of 10,000 copies of a catalogue describing the contents of each book and periodical of the defendants, 7000 of which were mailed by the defendants to prospective customers. Purposes of the promotional and advertising campaigns, by such means, and the said publications, is to acquaint the public with the alleged discovery and medical use by means of said device of the alleged orgone energy; to acquaint the reader concerning specified stated uses therefor; to furnish certain specific instructions and directions for the use of orgone energy accumulators; to create a demand for the purchase or rental from the said defendants of said orgone energy accumulator devices. Lacking certain of said publications the purchaser or lessee of such a device would be without information concerning instructions and directions for the use of said device in various diseases and disease conditions.

10. The said defendants distribute and cause to be distributed in interstate commerce various items of written, printed, and graphic matter which relate to said devices and which written, printed, and graphic matter is printed and distributed through the Orgone Institute Press, a department and the publishing house of The Wilhelm Reich Foundation, located at Bangoley, Maine. Such written, printed, and graphic matter consists of books, book covers, booklets, periodicals, journals, pamphlets, bulletins, brochures, order blanks, announcements, catalogues, catalogue sheets, form sheets, application forms for the rental or purchase of orgone energy accumulators, sheets containing instructions for their use, among others. Said items of written, printed, and graphic matter accompany said devices when they are introduced into and delivered for introduction into and while in interstate commerce, and constitute labeling of said devices. Said written, printed, and graphic matter contains instructions for the assembly of the large box models and directions for the use of the various models, both as a prophylactic and for use in the care, mitigation, and treatment of various

symptoms, conditions, and diseases, and misbrands the said devices in that said written, printed, and graphic matter represents and suggests that said devices, when used as directed, are effective in the cure, mitigation, treatment and prevention of said symptoms, conditions, and diseases, whereas, the said devices are not effective in the cure, mitigation, treatment, and prevention of said diseases. The false and misleading statements and representations contained in said written, printed, and graphic matter are hereinafter more particularly set forth and alleged in this complaint.

11. When written inquiries are received by the said defendants pertaining to the prophylactic and medical uses of orgone energy accumulator devices or literature and publications relating thereto, the said defendants in actively promoting the sale and rental of said devices, and their distribution in interstate commerce, respond by sending through the United States mails, catalogues and announcements containing descriptive material and the prices, with order blanks therefor, of the following, among other, publications:

The Discovery of the Orgone by Wilhelm Reich	
Vol. I - The Function of the Orgasm	6.00
Vol. II - The Cancer Etiopathy	8.50
The Orgone Energy Accumulator Its Scientific and Medical Use	2.00
Orgone Energy Bulletin A quarterly publication	4.00
Ether, God and Devil by Wilhelm Reich	4.50
Annals of the Orgone Institute, No. 1	2.00
Liston Little Man by Wilhelm Reich	3.00
The Mass Psychology of Fascism by Wilhelm Reich	4.50
Character Analysis by Wilhelm Reich	6.00
International Journal of Sex-Economy and Orgone Research (Published 1942 through 1945)	7.50
Emotional Plague versus Orgone Biophysics	1.00
Internationale Zeitschrift Für Organomie	1.00
Orgone Energy Emergency Bulletin	.40
The Murder of Christ by Wilhelm Reich	(20.00)
People in Trouble by Wilhelm Reich	(for)
	(the)
	(set.)

12. The defendant, Wilhelm Reich, in the aforesaid written, printed, and graphic matter claims to have discovered a form of energy which is present in the atmosphere and for which he coined the term "orgone energy." He claims that this alleged energy is life energy, has therapeutic value, and is beneficial in the cure, mitigation, treatment, and prevention of disease.

13. The defendant Reich in said literature claims to have invented, in 1940, a device which collects from the atmosphere this alleged energy and accumulates it in the device, where it is usable for scientific, educational, and medical purposes. Approximately 10 of these devices were made in New York State from 1940 to 1942; from then until 1949 they were made by Herman Templeton, a Maine hunting and fishing guide, and after his death were made by his daughter, at Oquassoc, near Rangeley, Maine; for a short time thereafter they were made in New York again; and since 1950 they have been made by S. A. Collins & Son at Rangeley, Maine.

14. The defendants claim in said literature that this alleged energy is demonstrable, useful, and measurable. They attempt to prove the existence of such energy and its presence in the device by employing well-known scientific instruments and by resorting to the use of phenomena such as light, heat, radio-active measurements, and electromagnetism.

15. The said defendants state in said literature that organic material, which should constitute the outermost layer of the accumulator, attracts and absorbs the alleged orgone energy, that metallic material, though it attracts said energy, quickly reflects it; that by layering the accumulator as described in paragraph 3 hereof, always with the organic matter on the outside, a direction is given to the said energy from the outside to the inside, where the alleged energy is collected and concentrated.

16. The said defendants maintain that the medical use of their box style device is accomplished by sitting in it. The manner of use of the other styles is shown in Exhibits A through E attached hereto.

17. The defendants maintain, as stated in said literature, that the enclosure within the device constitutes an alleged orgone energy field and the person in the enclosure another such field; that the energy fields of the two systems make contact; that both the person and the energy field of the accumulator begin to "luminate"; they become excited and, making contact, drive each other to higher levels of excitation. The defendants maintain that the user of the device becomes aware of this alleged phenomenon through feelings of prickling, warmth, relaxation, reddening of the face; further that body temperature increases from one half to one and one half degrees, Fahrenheit.

18. The said defendants state in said literature that the box style device should fit the size of the person who uses it; that the body surface should be no more than about 2 to 4 inches away from the metal walls.

19. The said defendants state in said literature that the blanket style device may be used by bedridden individuals in place of the regular box type device.

20. The said defendants state in said literature there is no mechanical rule as to the length of time a person should sit in the accumulator. They suggest that on the average a person requires from 5 to 30 minutes daily; that with regular use the time may be shortened from 30 minute to 10 minute sessions; that the necessary time for sittings will be decreased in accordance with the greater

number of layers the device has; that the patient may sit in the accumulator clothed or unclothed; that woolen or too heavy clothing is not recommended as it is alleged that such prevents quick contact and lamination; that it is better for a person to indige in 2 or more short sittings than one protracted sitting as the latter could cause serious damage.

21. For local application of the alleged orgone energy using the "shooter" style device with funnel attachment which is applied to the area to be treated, the defendants recommend approximate irradiating times, examples of which are as follows: heart region 2 to 5 minutes; root of nose, 4; mouth cavity, 5; closed eyes, 1; ears, 2; solar plexus, 3; wounds, burns, cuts and bruises, 5 to 20 minutes; using a glass tube filled with steel wool instead of the funnel attachment, with the tube inserted in the vagina, 1 minute; using a smaller glass tube so filled and placed inside the nose, no time is specified.

22. The said defendants, despite disclaimer of a cure from the use of their device, resort to detailed accounts of case histories in the said literature describing "cures" alleged to have been effected by the use of the device. Outstanding results are alleged to have been accomplished in inordinately short periods of time. Some examples of such claims are as follows:

ORGONE ENERGY BULLETIN
Vol. 1, No. 1 January 1949

Page 13

A woman, aged 30, suffered a leg injury. The wound suppurated and did not heal for several weeks. After 3 sessions in the orgone accumulator, the wound closed * * *

Page 13

* * * cutaneous abscesses; even after only one treatment the abscesses receded, and after five further treatments they had completely disappeared. In the meantime, the child developed some new abscesses; again they began to recede rapidly after the first orgone treatment.

Page 13, 14

A woman, aged 46, with a carcinoma of the liver, came for orgone treatment in the last stage of her disease. Shortly before the appearance of the liver metastasis, she had been operated on for carcinoma of the left breast. She had lived in complete sexual abstinence for 17 years. Her menstruation was very weak and always lasted only two days. The patient came for treatment twice daily for half an hour and after two days of treatment she felt much better, as her appetite increased and she was able to walk with greater ease. Three days later, menstruation occurred which, although still as weak as before, lasted four days for the first time. Her hemoglobin content rose from 75% to 85% within a week and her weight increased by 2 lbs. * * *

Page 14

A patient, aged 56, with pseudomyxoma peritonei * * * had been constipated for half a year * * * After the first treatment, bowel movement was copious * * *

Page 15

A man, aged 56, with angina pectoris had his first attack eight years ago and had had no trouble whatever since then. A week before the beginning of the orgone treatment new attacks set in, some of them of a serious nature. Consciousness was partly clouded. The attacks occurred with varying intensity several times a day, up to the first orgone treatment. After the first treatment, there were no more attacks. * * *

Page 16

A patient, aged 62, with an arteriosclerotic heart disease became sick 5 years ago. He had been repeatedly hospitalized and his doctors had given him up on several occasions. After a few weeks of orgone treatment, he felt strong enough to take a walk of several miles in the glare of a tropical sun at noon against medical advice, a thing which he had been unable to do for years. * * *

Page 16, 17

A woman, aged 65, suffered from a myodegeneratio cordis for 7 years. Two years ago she was hospitalized for several weeks because of her heart disease. Since all internal medication failed, and since the patient, after returning from the hospital, was no longer able to leave the house, her family decided to try orgone therapy in spite of the skepticism of the physician in charge of the case. Her heart condition improved so much that the patient, after 3 weeks of orgone therapy, could do without any internal medication. Several weeks later, she was able for the first time to walk outside again, for half an hour. * * *

Page 17

In a case of chronic bronchitis in a woman aged 20, an improvement was visible after only 5 orgone treatments. Previous slight increases of temperature disappeared. * * *

Page 17, 18

A patient, 60, was suffering for years from a duodenal ulcer. He was severely constipated during almost all of his life. The ulcer especially caused serious painful attacks which increased after the patient's wife died several months ago. The constipation improved immediately after the first treatment. In the course of one month of treatment, the constipation, after first alternating with normal bowel movements, was completely eliminated. The pains disappeared after the fourth session. In addition to these results, 3 warts on the left hand and a corn became smaller. The treatment is being continued.

Page 18

A patient, aged 20, with anemia was treated with the accumulator for a fortnight. The number of erythrocytes rose from 3.7 million to 4 million and her hemoglobin content rose from 70% to 80%.

Page 18

An inflammation of the eyeball after the removal of a splinter disappeared altogether after having been subjected to radiation from an accumulator tube.

Page 18

A patient, aged 39, had a hemorrhage of the throat which lasted for hours and which ceased immediately following the first orgone treatment.

Vol. II, No. 1 January 1950

Page 16, 17

A 53-year-old woman one year before the beginning of orgone treatment had a thrombophlebitis of the right calf. * * * After 1 week of orgone treatment, a reaction of very severe, almost unbearable, pain occurred. (In some other cases, we have also observed that the pain increases at the beginning of orgone treatment. The transformation of lifeless tissue into living tissue is of an inflammatory nature, and hence the cause of the pain is understandable.) After 11 days of irradiation, the first significant improvement took place, manifested in the reduction of pain and also improved walking. The improvement continued. When she had had 1 month of treatment, she could walk quite freely, even "run," * * *

Page 17

Buerger's disease. * * * One patient, a 40-year-old man, had suffered from this disease for the last 16 years. * * * When he came for orgone treatment, there were wounds of a gangrenous

nature on several of his toes and the surgeon urgently recommended amputation. Instead of amputation, the patient decided to try the orgone accumulator. After the first irradiation, he felt a strong prickling on his head and an especially strong prickling sensation on his feet, * * * After the second, third, and fourth irradiations, the same phenomena appeared. After the fifth, the wounds were dry for the first time in 8 years. When he had had 8 irradiations, entirely painless intervals occurred, whereas formerly the patient suffered constant pain. * * * The legs, which were ice cold before the therapy, became warmer. Previously the patient took about 2 dozen pills daily to combat the pain; now he could get along with 1 or 2. The wounds started to close. * * *

Page 18

* * * A second patient, aged 35, had been suffering from Buerger's disease for 10 years. * * * After 14 days of irradiation twice daily, his walking was already very much improved. He no longer needed a cane and the healing of his wounds progressed rapidly. * * *

Page 18

A 43-year-old patient suffered for many years from Buerger's disease. * * * After orgone treatment for 1 month, he again wished "to exercise and to jump" (the patient is a gymnastics instructor). * * *

Page 20

A 39-year-old woman had been suffering for 4 years from chronic sneezing; a specialist diagnosed her illness as "asthmatic sneezing." * * * After 3 weeks of orgone irradiation, her sneezing stopped. * * *

Vol. II, No. 3 July 1950

Page 133

Re: Breast Cancer * * * The patient was only able to use the accumulator one half hour a day, six times, over a period of three weeks and then she left for the country. Very soon after that she noticed that the lump had disappeared. When I saw her on her return six weeks later, the tumor had entirely disappeared and the chronic cystic mastitis had almost gone. Both breasts were of normal consistency. In spite of the fact that I have seen many remarkable results from the orgone accumulator, and that I knew small, malignant breast tumors disappear after 2 to 4 weeks of orgone irradiation, what I saw here was still unbelievable.

Page 135

Re: Cancer of the Breast. There was a mass in the outer upper quadrant of the right breast. The outer edge of the tumor was sharp and about 2 inches

in width. Proceeding medially, the tumor could not be differentiated from the rest of the tissue. Both breasts showed signs of chronic cystic mastitis. * * * Two weeks later I saw the patient after she had been using the orgone accumulator twice a day. The color of her skin was better and she seemed generally improved. The sharp edge of the tumor was gone and there remained only some enlarged gland tissue which was not differentiated from the rest of the breast tissue. Both breasts were much softer. Three weeks later the tumor had completely disappeared.

Vol. III, No. 3 July 1951

Page 165

Re: Ichthyosis * * * The patient began to use the orgone energy accumulator on September 15th for daily thirty-minute irradiations. Within 2 weeks he reported a marked decrease in the itching and scaling. The skin began to assume a healthier pink color * * * Within 1 month after beginning the use of the accumulator he was free of itching and the scaling of the skin was present only on the legs.

The Discovery of the Orgone
Volume Two The Cancer Biopathy

Page 140-143

Our orgone therapy experiments with cancer patients consist in their sitting in the orgone accumulator. The orgone energy which is concentrated in the accumulator penetrates the naked body and is also taken up by way of respiration. * * * I began with sessions of 30 minutes. * * * During the first session the skin between the shoulder-blades became red; * * * During the next session, the redness of the skin spread to the upper part of the back and chest. * * * During the third, she began to perspire, particularly under the arms; she related that during the past few years she had never perspired. All these reactions of the organism to the orgone radiation are typical in all cancer patients. * * * Our patient came with a hemoglobin of 35%. 2 days later it was 40%; after 4 days, 51% after a week, 55%; after 2 weeks, 75%, and after 3 weeks, 85%, that is, normal.

(The foregoing also appears in International Journal of Sex-Economy and Orgone Research, Vol. 1, 1942, at page 138 et seq.)

The patient had a swelling the size of a bean at the outer margin of the right breast. * * * I refrained from having a biopsy done. Since the patient wished to undergo the orgone therapy experiment, there was no reason why I should not wait to see whether the tumor would disappear after a few irradiations. If it would disappear rapidly, it would have been a malignant tumor. If it took many weeks or even months to disappear, or if it neither receded nor grew, it would have shown itself to be a harmless glandular enlargement. * * * definitely established the diagnosis of an advanced carcinomatous shrinking biopathy. * * * The patient started with daily orgone irradiations in my laboratory. Later she ordered an orgone accumulator and took two daily irradiations of half an hour each; * * * After 10 days of orgone irradiation, the tumor was no longer palpable. (Observation of earlier cases had shown that orgone therapy eliminates breast tumors of medium size in the space of two to three weeks).

(The foregoing also appears in International Journal of Sex-Economy and Orgone Research, Vol. 2, 1943, pages 4, 5.)

* * * In the case of orgone therapy, * * * the tumor can be easily destroyed.

(The foregoing also appears in International Journal of Sex-Economy and Orgone Research, Vol. 2, 1943, page 20.)

In many cases of biologically debilitated blood and severe anemia the attack on the tumor is preceded by the formation of a great number of young erythrocytes, as can be observed microscopically. Breast tumors disappear in the course of 2 to 3 weeks. Observation to date shows that the tumors always become soft, no matter what their location. * * * In one case of brain tumor the destruction of the tumor occurred as early as two weeks after the beginning of treatment. * * *

Another woman with a tumor of the stomach the size of an apple, also reacted rapidly to the orgone therapy. The tumor, which was palpable, became soft and became rapidly smaller.

Similarly, a third woman, with ovarian tumor, who had reacted to the orgone therapy with an improvement of her general condition and with a decrease in size and a softening of her tumors, * * *

In a boy of 5 with an adrenal tumor and metastases in the spine, X-ray showed calcification of the bone defects after 4 weeks. The primary adrenal tumor

was no longer palpable after 2 weeks' treatment.
* * * The fact should be remembered that none of our cases came to us shortly after the discovery of the tumor. They all had tried other methods for several years, and when they came to us, they had been given up as hopeless and were on the point of dying.

(The foregoing also appears in International Journal of Sex-Economy and Orgone Research, Vol. 2, 1943, pages 57, 58.)

Page 283

Anemias were eliminated within 3 to 6 weeks.

THE ORGONE ENERGY ACCUMULATOR
Its Scientific and Medical Use.

Page 35

* * * Painful burns, cuts, bruises will stop smarting after a few minutes. * * * One can follow the healing process as it runs its course. * * * According to the size of the injury, five to twenty minutes will suffice to set the healing process into rapid motion.

Page 36

The wounds heal in a matter of a few hours; severe ones need a day or two.

Orgone energy also sterilizes the wound. Microscopic observation shows that, for example, bacteria in the vagina will be immobilized after only one minute of irradiation through an inserted glass pipe filled with steel wool.

23. When the said defendants cause the devices to be introduced or delivered for introduction into interstate commerce, and while the devices are being held for sale after shipment in interstate commerce, the labeling thereof, consists in part, of a small metal plate affixed to, or, an ink impression stamped on, the side of the device. In addition the defendants mail from Rangeley, Maine, addressed to the consignee other items of labeling which are usually received within a few days, either before or after, delivery of the device. Some of these items are as follows:

- a. Application For Use of The Orgone Energy Accumulator - on which the purchaser specified whether he desires the device for medical, non-medical or experimental use.

- b. How To Use The Orgone Accumulator - which contains some directions for use of the cabinet style device, "shooter", seat box, and chestboard.
- c. Instructions For Assembling The Orgone Accumulator - which contains directions for assembling the cabinet style accumulator.
- d. Catalogue Sheet - which lists and partially describes the various styles of accumulators.
- e. Physician's Report.
- f. A form letter entitled "To All Users of The Orgone Energy Accumulator".
- g. Instructions for the Use of the Orgone Energy Accumulator Blanket.

24. The defendants have devised a jargon stemming from their coined word "orgone" and utilize words having "orgone" as a base in the promotion of the pseudo science which they call "orgonomy."

25. That said defendants have been and now are representing and suggesting in the labeling of said devices, in particular, on page 3 of the mimeographed sheets entitled HOW TO USE THE ORGONE ACCUMULATOR, under the heading PLEASE READ CAREFULLY, that said devices be kept at least three rooms away from an operating X-ray machine; that said devices should not be used in proximity to operating X-ray equipment; and against experimenting with radio-active materials in combination with the alleged orgone energy because "it is dangerous to life", which representations and suggestions in said labeling are and were false and misleading and misbrand said devices within the meaning of said Act, 21 U.S.C. 352(a), since such representations and suggestions convey the impression and belief that the alleged orgone energy is a powerful form of energy, particularly when in contact with emanations from radio-active material and Roentgen rays, whereas, the alleged orgone energy, as claimed to have been discovered and its existence proved by the said defendant Reich as stated in the labeling for said devices, is not a powerful form of energy, is non-existent, and is not "dangerous to life".

26a. The aforesaid orgone energy accumulator devices have been and now are further misbranded when introduced into, while in, and while held for sale after shipment in interstate commerce, within the meaning of 21 U.S.C. 352(a) in that their labeling, namely, the booklet (outside cover) entitled THE ORGONE ENERGY ACCUMULATOR - Its Scientific and Medical Use, the booklet (page 198d) entitled THE ORANUR EXPERIMENT, and book (page 66) entitled COSMIC SUPERIMPOSITION, and the frontispieces of ORGONE ENERGY BULLETIN, Vol. 1, No. 1, the book entitled THE MURDER OF CHRIST, and the bulletin entitled "Internationale Zeitschrift Fur Orgonomie April 1950", contains written, printed and graphic matter, namely, a photograph with caption, which is false and misleading in that such written, printed, and graphic matter conveys the impression that the photograph is an actual photograph depicting the alleged orgone energy, whereas, the alleged orgone energy is not thereby depicted.

26b. The aforesaid orgone energy accumulator devices have been and now are further misbranded when introduced into, while in, and while held for sale after shipment in interstate commerce, within the meaning of 21 U.S.C. 352(a) in that their labeling, namely, the book (pages 198a and 198b) entitled THE ORANUR EXPERIMENT, contains written, printed, and graphic matter, namely, photos 1 and 3 captioned as showing an excited orgone energy field between the palms of the hands and from an alcohol flame, respectively, which is false and misleading in that such written, printed, and graphic matter conveys the impression that the photos show excited orgone energy fields, whereas, said photos do not show excited orgone energy fields.

27. The orgone energy accumulator, in all of its styles and models, is a device within the meaning of 21 U.S.C. 321(h), and is and was further misbranded when introduced into, while in, and while held for sale after shipment in interstate commerce, within the meaning of said Act, 21 U.S.C.

352(e), in that its labeling, namely, the printed matter mentioned in paragraph "23" hereof and the written, printed, and graphic matter hereinafter identified, accompanying said device, represents and suggests that the device is an outstanding therapeutic agent, is a preventive of and beneficial for use in all diseases and disease conditions, is effective in particular in the cure, mitigation, treatment, and prevention of the diseases, conditions, and symptoms hereinafter mentioned, which representations and suggestions are false and misleading since the device is not an outstanding therapeutic agent, is not a preventive of and beneficial for use in all diseases and disease conditions, and is not effective in the cure, mitigation, treatment, and prevention of the diseases, conditions, and symptoms hereinafter enumerated. Examples of the diseases, conditions, and symptoms, and the items of written, printed, and graphic matter wherein they appear, which constitute the labeling referred to above, are as follows:

THE ORGONE ENERGY ACCUMULATOR -
Its Scientific and Medical Use.

cancer
anemia
headaches
cancer tumor of breasts
acute and chronic colds
hay fever
rheumatism
arthritis
varicose ulcers
chronic illnesses
bruises
cuts
lesions
abrasions
wounds
burns
sinusitis
migraine
vascular hypertension

high blood pressure
decompensated heart disease
brain tumors
arteriosclerosis
apoplectic attacks
skin inflammation
conjunctivitis
sterilization of wounds
immobilization of vaginal bacteria
chronic fatigue
undernourishment
diabetes

Orgone Energy Bulletin

cancer
angina pectoris
constipation
high blood pressure
low blood pressure
Basedow's disease
abscesses
chronic diarrhea
chronic bronchitis
gastric ulcer
putrefaction of the intestines
inflammation of the eyeball
hemorrhage of the throat
paradentosis
anemia
lichenoid eczema
osteoporosis
arteriosclerotic heart disease
duodenal ulcers
thrombophlebitis

compound fracture
Buerger's disease
purulent frontal sinusitis
diabetes
ichthyosis

International Journal of Sex-Economy and Orgone Research

cancer
angina pectoris
asthma
cardiovascular hypertension
epilepsy
multiple sclerosis
chorea
cancer pains
raising hemoglobin
elimination of cancer tumors
tumor easily destroyed
lung cancer
tumor of the breast
high blood pressure
low blood pressure
brain tumor
inoperable cancer of esophagus
prevention of metastases
leukemia
fistula
trichomonas vaginalis
colds
cutaneous abscesses

healing of wounds

underweight

anemia

in pregnancy

Annals of the Orgone Institute

cancer

angina pectoris

common cold

The Discovery of the Orgone Vols. I & II

tumors

anemia

wounds, burns, bed sores

colds

grippe

infection

trichomonas vaginalis

cancer

angina pectoris

arteriosclerosis

varicose ulcer

common cold

pneumonia, prevention of

high blood pressure

Emotional Plague Versus Orgone Biophysics

arthritis

colds

sinusitis

anemia

cancer

leukemia

angina pectoris

vascular hypertension

varicose ulcer

cancer tumors

arthritis

Listen, Little Man

cancer

Ether, God and Devil

cancer

The Sexual Revolution

cancer

Character Analysis

cancer tumors

The Cosmic Superimposition

cancer

common cold

ichthyosis

rheumatic fever

hypertension

diabetes

The Mass Psychology of Fascism

cancer

The Oranur Experiment

colds

cut finger

influenza

tissue degeneration

blood degeneration

cancer

Internationale Zeitschrift Fur Ergonomie

cancer

diabetes

wounds

duodenal ulcer

pernicious anemia

Basedow's disease

high blood pressure

low blood pressure

paradentosis

lichenoid eczema

osteoporosis

angina pectoris

arteriosclerosis

myodegeneratio cordis

prostatitis

myocardial infarction

intestinal trouble

mediastinal malignancy

sinusitis

burns

diabetic neuritis

colds

Annals of Orgone Institute

common cold

angina pectoris

cancer

Oranur Project

counteracts nuclear radiation

chronic colds

chills

low resistance

pneumonia preventive

healing of wounds and burns

old resilient ulcers

prevention of burn blisters

relief of pain in cancer

rheumatism

migraine

neuritis

cuts

shock

atomic warfare

epidemics

The Murder of Christ

cancer

People in Trouble

cancer

blood

tissues

28. The orgone energy accumulator device, in all styles and models, is adulterated within the meaning of 21 U.S.C. 351(c) in that its strength differs from and its quality falls below that which it purports and is represented to possess, since it is not capable of collecting from the atmosphere and accumulating in said device the alleged orgone energy as claimed to have been discovered and its existence proved by the defendant Reich.

29. The plaintiff is informed and believes that unless restrained by the Court, the said defendants will continue to cause the introduction or delivery for introduction into interstate commerce, of the said orgone energy accumulator device, in all its styles and models, misbranded within the meaning of 21 U.S.C. 352(a) and adulterated within the meaning of 21 U.S.C. 351(c). The plaintiff is also informed and believes that unless restrained by the Court the said defendants will continue to cause the said orgone energy accumulator device, in all its styles and models, to be misbranded and adulterated within the meaning of 21 U.S.C. 352(a) and 351(c) while held for sale after shipment in interstate commerce.

WHEREFORE PLAINTIFF PRAYS:

That the defendants, The Wilhelm Reich Foundation, a Maine corporation, Wilhelm Reich and Ilse Ollendorff, individuals, and each and all of their officers, agents, servants, employees, attorneys, all corporations, associations, and organizations, and all persons in active concert or participation with any of them, be perpetually enjoined from directly or indirectly introducing or causing to be introduced or delivering or causing to be delivered for introduction into interstate commerce in violation of 21 U.S.C. 351(a), any orgone energy accumulator device, in any style or model, and any and all accessories, components or parts thereof, or any

similar article, in any style or model, which is misbranded within the meaning of 21 U.S.C. 352(a) or adulterated within the meaning of 21 U.S.C. 351(c);

AND FURTHER PRAYS:

That the aforesaid defendants, their officers, agents, servants, employees, attorneys, all corporations, associations, and organizations, and all persons in active concert or participation with any of them, be perpetually enjoined from directly or indirectly doing or causing to be done any act whether oral, written, or otherwise in the manner aforesaid or in any other manner, with respect to any orgone energy accumulator device, in any style or model, or with respect to any similar article of device while held for sale after shipment in interstate commerce, in violation of 21 U.S.C. 331(k), which results in said article being misbranded within the meaning of 21 U.S.C. 352(a), or adulterated within the meaning of 21 U.S.C. 351(c);

AND FURTHER PRAYS:

That the plaintiff be given judgment for its costs herein and for such other and further relief as to the Court may seem just and proper.

Peter Mills
United States Attorney

Address:

Federal Court House,
156 Federal Street,
Portland 6, Maine.