

food iodine inseparably combined by nature with all of the other organic food minerals naturally found in the Sea Plant ingredients of Ocean-Lax and proven to be essential to health. Note! (Government Bulletin quotation.) "... If a salad of marine grass (sea-plants) could be eaten daily by everyone, as is largely the custom in Japan, simple goiter, in all probability would be relatively infrequent." * * * Millions in foreign countries have for many generations and still are eating Sea Plants as part of their diet."

The libel alleged that the product was also misbranded under the provisions of the law applicable to drugs, reported in drugs and devices notices of judgment, No. 913.

On March 4, 1942, Mineralized Foods, Inc., claimant, having filed an answer denying the adulteration and misbranding charges in the libel, and having filed a motion for removal of the proceedings to the District of Maryland, in which District the claimant had its principal place of business, the court denied such motion. The court's opinion in denying the motion is printed in drugs and devices notice of judgment No. 913.

On January 7, 1943, the claimant having withdrawn its claim and answer, judgment of condemnation was entered and the product was ordered destroyed.

5781. Adulteration and misbranding of Improved Kalpentum. U. S. v. 33 Bottles and 6 Bottles of Improved Kalpentum. Decree of destruction. (F. D. C. No. 9057. Sample No. 7387-F.)

This product was represented as containing 10 milligrams of calcium pantothenate and 333 U. S. P. units of vitamin B₁ per tablet. Examination showed that it contained approximately the declared amount of calcium pantothenate but not more than 250 U. S. P. units of vitamin B₁ per tablet. Its labeling represented and suggested that the article, when taken as directed, might reasonably be expected to restore the color to gray hair, whereas it would not accomplish the results suggested and implied.

On December 31, 1942, the United States attorney for the District of Minnesota filed a libel against 33 bottles, each containing 30 tablets, and 6 bottles, each containing 100 tablets, of Improved Kalpentum at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about October 6, 1942, from Newark, N. J., by the Vitamin Corporation of America; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a valuable constituent, vitamin B₁, had been in whole or in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the statement appearing on its label, "Each tablet contains * * * 333 USP Units Vitamin B₁," was false. It was alleged to be misbranded further by reason of the following statements appearing on its label: "Calcium Pantothenate (anti-gray hair factor) * * * These tablets may prevent premature graying of the hair if caused by a lack of Calcium Pantothenate, a factor of the Vitamin B Complex. Clinical experiments have shown darkening of the hair in some cases, in 1 month's time, others ranged from 3 months to 1 year. No harmful effects have been experienced from this treatment. * * * As directed by physician or one tablet per day for three months, thereafter two per day for nine months."

On February 19, 1943, no claimant having appeared, judgment was entered ordering that the product be destroyed.

5782. Misbranding of Pretorius Graytex. U. S. v. 6 Packages and 31 Packages of Pretorius Graytex. Default decree of condemnation and destruction. (F. D. C. No. 9205. Sample No. 13724-F.)

On January 18, 1943, the United States attorney for the Southern District of California filed a libel against 6 packages, each containing 100 tablets, and 31 packages, each containing 30 tablets, of the above-named product at Glendale, Calif., alleging that the article had been shipped in interstate commerce on or about May 1 and 6, 1942, by the Freshman Vitamin Co. from Detroit, Mich.; and charging that it was misbranded.

Examination showed that the article contained not more than 8 milligrams of calcium pantothenate per tablet and not more than 265 U. S. P. units of vitamin B₁ per tablet.

The article was alleged to be misbranded in that the following statements appearing in its labeling, "Each Tablet contains: 10 Mgm. (10,000 Micrograms) Calcium Pantothenate * * * 333 USP Units Vitamin B₁," were false and misleading since the article did not contain the declared amounts of calcium pantothenate and vitamin B₁. It was alleged to be misbranded further in

that the statements appearing in its label, which represented and suggested that the article was effective to restore the natural color to gray hair and to prevent the premature graying of hair, and that the need for calcium pantothenate in human nutrition had been established although the actual daily requirements therefor had not been established as yet, were false and misleading since the article was not effective to restore the natural color to gray hair, and would not prevent the premature graying of hair, and the need for calcium pantothenate in human nutrition has not been established.

On March 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5783. Misbranding of Wheatamin Brand Panto-Caps. U. S. v. 7 Bottles of Wheatamin Brand Panto-Caps. Default decree of condemnation and destruction. (F. D. C. No. 9574. Sample No. 38016-F.)

Examination showed that this product contained 10 milligrams of calcium pantothenate per tablet.

On or about March 25, 1943, the United States attorney for the Northern District of Illinois filed a libel against 7 bottles of the above-named product at Chicago, Ill., alleging that the article had been shipped on April 13, 1942, in interstate commerce from Holland, Mich., by the DePree Co.; and charging that it was misbranded.

It was alleged to be misbranded in that certain statements appearing in its labeling which represented and suggested that the article, when used as directed, was effective in preventing the graying of hair and in restoring the natural color to gray hair, were false and misleading since the article was not so effective.

On May 8, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5784. Misbranding of wheat germ. U. S. v. Commander Larrabee Milling Co. (Minneapolis Milling Co.). Plea of guilty. Fine, \$100. (F. D. C. No. 9677. Sample No. 37818-F.)

On October 21, 1943, the United States attorney for the District of Minnesota filed an information against the Commander Larrabee Milling Co., trading as the Minneapolis Milling Co., Minneapolis, Minn., alleging shipment in interstate commerce on or about January 21, 1943, from the State of Minnesota into the State of Illinois of a quantity of wheat germ which was misbranded. The article was labeled in part: "P. W. G. Pure Wheat Germ."

It was alleged to be misbranded in that it purported to be and was represented as a food for special dietary use by man by reason of its vitamin properties, and its label did not bear such information concerning its vitamin properties as has been determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such use, since its label did not bear a statement of the proportions of the minimum daily requirements for vitamin B₁ and riboflavin which would be supplied by it when consumed as directed during a period of 1 day; nor did the label bear a statement of the quantity of vitamin E contained in a given quantity of the article, and it did not bear a statement that the need in human nutrition for vitamin E has not been established.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

On October 21, 1943, a plea of guilty was entered to all charges, and the court imposed a fine of \$100 which covered both counts of the information.

5785. Misbranding of wheat germ. U. S. v. 14½ Cases of Wheat Germ. Decree ordering destruction of the product. (F. D. C. No. 10394. Sample No. 48103-F.)

On August 13, 1943, the United States attorney for the Southern District of Ohio filed a libel against 14½ cases, each containing 1 dozen 10-ounce packages, of wheat germ at Athens, Ohio, alleging that the article had been shipped in interstate commerce on or about May 11, 1943, by the Hayden Flour Mills, Inc., Tecumseh, Mich.; and charging that it was misbranded. The article was labeled in part: "Hayden's Caramelized Wheat Germ."

The article was alleged to be misbranded in that the statements appearing in its labeling which represented that it takes about 30 pounds of wheat to produce 1 pound of the article; that it would be efficacious in the treatment of constipation, arthritis, poor appetite, retarded growth, lowered vitality, nervousness, poor digestion, gray hair, degeneration of the nervous system, enlarge-