

7914. Adulteration and misbranding of Major Brand B-Complex Vitamin Tablets. U. S. v. 15 Cases of Major Brand B-Complex Vitamin Tablets. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 14398. Sample No. 80439-F.)

LIBEL FILED: November 8, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 24 and September 13, 1944, from New York, N. Y., by Major Vitamins, Inc.

PRODUCT: 15 cases of the above-named product at St. Louis, Mo.

Examination of samples showed that the article contained 0.16 milligram of vitamin B₁, 0.22 milligram of nicotinic acid, and 0.162 milligram of riboflavin per tablet.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the following statements on the label were false and misleading: "Each Tablet Thiamine (Vitamin B₁) Milligrams .333 Micrograms 333 (3 Tablets) Micrograms 1000. * * * 3 Major B-Complex Tablets daily provide the minimum daily adult requirement of thiamine (Vitamin B₁)." The article did not contain in each tablet the stated amount of vitamin B₁, and it did not provide in 3 tablets the minimum daily adult requirement of thiamine. Further misbranding, Section 403 (a), the designation, "B Complex * * * Tablets," in the labeling, was misleading as applied to the article, which supplied a nutritionally inconsequential amount of niacin, one of the vitamins of the B complex, the need for which in human nutrition is established.

Further misbranding, Section 403 (a), the following and similar statements in the labeling, which were quoted in an exhibit attached to the libel, created the false and misleading impression that the article would be effective to provide greater energy, steadier nerves, better digestion, improved health and vigor, better appetite, insurance from vitamin deficiencies, physical well-being, protection against frequent colds, constipation, fatigue, digestive upsets, and other common ills; that it would provide the vitamins found in whole wheat bread, eggs, milk, liver, and tomato juice; that there are widespread deficiencies that would be corrected by use of the article; that it contained nutritionally significant amounts of all vitamins of the B complex; and that foods are an unreliable source of vitamins and, therefore, it was desirable, if not necessary, to use the article to supplement the ordinary diet: (Carton and bottle labels) "Major B-Complex Tablets are compounded to provide significant amounts of the natural B-Complex"; (circular entitled "How Vitamins Bring Health and Vigor to All the Family!") "50% of the people of the United States do not get enough in the way of protective foods . . . lack of common sense knowledge of nutrition, even among well-to-do people . . . is appalling . . . you can read 'hidden hungers' in the faces and attitudes of the under-nourished. Peaked faces, bowlegs, and shaky nervous systems are only a few of the deficiency manifestations.' * * * ready to effectively guard the health of every man, woman and child. * * * When we begin to feel tired, listless, all fagged out . . . when we haven't the pep or desire to 'do things,' Nature is demanding vitamins! * * * You need vitamins every day—day after day—just as regularly as food itself. * * * Much of the food we eat may have lost its vitamin content long before it reaches our plates. This is because food is so frequently stored for lengthy periods, then shipped long distances before it is finally put on sale. Soil conditions, methods of transportation, methods of food handling in market and kitchen; all of these also tend to diminish the vitamin content of the foods we eat. Heat used in cooking will often destroy vitamins, * * * This is why so many of us, rich or poor, do not always get all the precious vitamins we need. Frequent colds, constipation, fatigue, digestive upsets, and other common ills are often traced to a daily lack of vitamins. * * * [Picture of apparently tired man] Vitamin B-Complex helps to gear us for the swift pace of modern life—helps us to build up more energy. This is especially true of a natural B-Complex such as MAJOR-B-COMPLEX which supplies all of the vital B-Complex factors we must have each day. Major-B-Complex will help to steady our nerves, help us to build resistance to fatigue and promote greater energy. It also aids digestion, promotes sounder sleep, and a general feeling of buoyant health. Happy, healthy families are those that get sufficient B-Complex, day after day. MUST WE TAKE B-COMPLEX REGULARLY? (YES! Like food, we cannot store it up) Because everyone must have a definite minimum of B-Complex each and every day, the U. S. Government has determined and established just how much men, women, and children should have. You cannot hope to do without B-Com-

plex for extended periods, any more than you'd expect one big meal to 'stay by you' for days. Similarly, you cannot expect a single meal to restore your strength if you have starved yourself for weeks. Because so many of us are actually 'vitamin starved' we can only begin to feel better—feel new vigor and energy—gradually—after we have taken Vitamin B-Complex regularly. It may take as much as 3 weeks before you notice the first beneficial 'lift.' However, the longer it takes, the greater the indication that your system has not been getting all of the vitamins required. WILL CHILDREN TAKE MAJOR-B-COMPLEX READILY? (YES! It's not like 'medicine') Your children particularly need vitamins. They need the Vitamin B-Complex especially because this vitamin helps promote strength for active, growing bodies, helps build weight, and stimulates healthy appetites. * * * One sure way is to give your children Major-B-Complex Tablets daily. * * * 'We know how (by means of vitamins) to maintain a high level of general health . . . a state in which we feel the vigor and zest for life and work that come from a continued sense of physical well-being.' For such good health and vitality, no price is too high. * * * Major-B-Complex provides * * * vitamin protection for all the family * * * the B-Complex is often the key to a happy, healthy family circle. [Pictures of various articles of food] * * * Major-B-Complex Tablets are compounded to provide significant amounts of the natural B-Complex * * * MAJOR-B-COMPLEX * * * containing * * * 5 vital Vitamin B factors * * * ."

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.

DISPOSITION: December 18, 1944. No claimant having appeared, judgment of condemnation was entered and it was ordered that all leaflets and display posters accompanying the article be destroyed, and that the article be delivered to a charitable institution.

7915. Misbranding of Fero-B-Plex, Minerals Plus, sarsaparilla root U. S. P. with sassafras bark, Cetabs, Fenugreek Tea, and BoLax Laxative Tablets. U. S. v. 141 Packages of Fero-B-Plex, 4 Packages of Minerals Plus, 9 Packages of Sarsaparilla Root U. S. P. with Sassafras Bark, 8 Packages of Cetabs, 11 Packages of Fenugreek Tea, and 46 Packages of BoLax Laxative Tablets, and a number of booklets. Default decree of condemnation and destruction. (F. D. C. No. 12078. Sample Nos. 70727-F, 70728-F, 70767-F to 70771-F, incl.)

LIBEL FILED: April 3, 1944, Western District of Washington.

ALLEGED SHIPMENT: Between the approximate dates of July 15, 1942, and January 20, 1944, by LeLord Kordel and LeLord Kordel Products, from Chicago, Ill.

PRODUCT: 141 packages of Fero-B-Plex, 4 packages of Minerals Plus, 9 packages of sarsaparilla root U. S. P. with sassafras bark, 8 packages of Cetabs, 11 packages of Fenugreek Tea, 46 packages of BoLax Laxative Tablets, and a number of booklets, at Seattle, Wash.

Analysis disclosed that the Fero-B-Plex contained iron, calcium, phosphorus, vitamin B₁, vitamin B₂, and niacin; that the Minerals Plus contained calcium, phosphorus, iron, iodine, and vitamin D; that the sarsaparilla root U. S. P. with sassafras bark consisted essentially of sarsaparilla root and a small proportion of sassafras bark; that the Cetabs contained 31 milligrams of ascorbic acid per tablet; that the Fenugreek Tea consisted essentially of fenugreek seeds; and that the BoLax Laxative Tablets consisted essentially of powdered plant material including laxative plant drugs such as senna and buckthorn.

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the following and similar statements in the labeling of the articles were false and misleading since they represented and implied that the articles would be of value in the treatment of arthritis, whereas they were not of value in the treatment of arthritis whether taken alone, in combination, or in conjunction with certain diets recommended in the labeling: (Booklet entitled "What You Can Do About Relieving the Agonies of Arthritis") "What You Can Do About Relieving the Agonies of ARTHRITIS * * * Practical and helpful advice for the millions who suffer from arthritis. * * * you may use diet and vitamins * * * to help speed relief and make life pleasanter for yourself. Relieving the Agonies of ARTHRITIS * * * Rivalling heart disease and cancer as a thing to be dreaded, arthritis stands near the head of the list of American afflictions. * * * Known variously as arthritis deformans, rheumatoid arthritis, atro-