

mixed with a small amount of proteinaceous matter. Analysis of the apple concentrate showed that the product was a concentrated apple juice (about five-fold) containing little, if any, chlorophyll.

LABEL, IN PART: "Supplemental Concentrates Formula No. 4 * * * Distributed by Arizona Clinic * * * Tucson, Arizona," or "Apple Concentrate (Malic Acid)."

VIOLATIONS CHARGED: Supplemental Concentrates Formula No. 4, misbranding, Section 403 (a), the label statement, "The materials for this tablet were selected for their properties of blood regeneration. A healthy blood stream is the first basic requirement of health," were false and misleading since the article would not regenerate the blood and would not establish a healthy blood stream; and, Section 403 (j), the article purported to be and was represented for special dietary uses by man by reason of its vitamin properties, but its label did not bear, as required by the regulations, (1) a statement of the proportion of the minimum daily requirements for vitamins A, B, D, and G which would be supplied by the product when consumed in a specified quantity during a period of 1 day, (2) a statement of the quantity of vitamin E supplied by a quantity of the article customarily or usually consumed during a period of 1 day, or (3) a statement that the need for vitamin E in human nutrition has not been established.

Apple concentrate, misbranding, Section 403 (a), the label statement, "Apple Concentrate (Malic Acid) Processed to retain the life factor of plant animation * * * Chlorophyll," was false and misleading since the article did not consist of malic acid, but consisted essentially of concentrated apple juice; the article had not been processed to retain the life factor of plant animation, since the product did not possess properties which would be of peculiar value in the life processes of man and which are not found in foods of like nature; the article contained little or no chlorophyll; and chlorophyll, if present, would have no nutritional value; and, Section 403 (j), the article purported to be and was represented for special dietary uses by reason of its vitamin and mineral properties, and its label failed to bear a statement of the proportion of the minimum daily requirements for those vitamins and minerals for which minimum daily requirements have been established which would be supplied by the article when consumed in a specified quantity during a period of 1 day; and its label failed to bear a statement of the quantity of those vitamins and minerals for which minimum daily requirements have not been established which would be supplied by the quantity of the article customarily or usually consumed during a period of 1 day.

DISPOSITION: January 27, 1945. A plea of nolo contendere having been entered, sentence was suspended for 2 years, conditioned that the defendant not violate any law of the United States.

8090. Misbranding of Supplemental Concentrates Formula No. 4 and Formulated Foods Formula No. 13. U. S. v. 94 Packages of Formula No. 4 and 52 Packages of Formula No. 13. Default decree of condemnation and destruction. (F. D. C. No. 11447. Sample Nos. 53826-F, 53828-F.)

LABEL FILED: December 22, 1943, District of Arizona.

ALLEGED SHIPMENT: On or about November 9, 1943, by the Dietary Research Laboratories, Los Angeles, Calif.

PRODUCT: 94 packages of Formula No. 4 and 52 packages of Formula No. 13, at Tucson, Ariz. Examination disclosed that Formula No. 4 consisted essentially of alfalfa and wheat, with small amounts of other vegetable material and possibly animal tissue; and that Formula No. 13 consisted essentially of garlic and parsley.

LABEL, IN PART: "Supplemental Concentrates Formula No. 4 20 Vegetable Concentrates Combined with Raw Liver, Heart Muscle and Stomach Lining Vitamins A, B, D, E and G Present in their Natural Form," and "Formula No. 13 Garlic-Parsley."

VIOLATIONS CHARGED: Formula No. 4, misbranding, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by man by reason of its content of vitamins A, B, D, E, and G, and its label failed to bear, as required by the regulations, (1) a statement of the quantity of vitamins A, B, D, E, and G in a specified quantity of the article; (2) a statement of the proportion of the minimum daily requirement for vitamins A, B, D and G supplied by the article when consumed in a specific quantity during a

period of 1 day; and (3) a statement that the need for vitamin E in human nutrition has not been established.

Formula No. 13, misbranding, Section 403 (a), the statements in the labeling, "A Dietary Supplement in the presence of High Blood Pressure," and "A dietary supplement processed and formulated to provide an effective adjuvant to the regular or prescribed diet," were false and misleading since the article would not be effective in relieving high blood pressure and was not an adjuvant to the diet.

The articles were also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1329.

DISPOSITION: February 7, 1944. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

8091. Adulteration and misbranding of Vita-Pure B-Complex Vitamins. U. S. v. 672 Cartons of Vita-Pure B-Complex Vitamins. Default decree of forfeiture and destruction. (F. D. C. No. 11737. Sample No. 47858-F.)

LIBEL FILED: February 3, 1944, Western District of Arkansas.

ALLEGED SHIPMENT: On or about March 29, 1943, from Oklahoma City, Okla., by the Roisman Products Co.

PRODUCT: 672 cartons, each containing 10 tablets, of the above-named product at El Dorado, Ark. Examination disclosed that the article contained 358 micrograms of riboflavin and not more than 166 U. S. P. units of thiamine chloride (B₁) per tablet.

VIOLATIONS CHARGED: Adulteration, Section 402(b)(1), the article was 50 percent deficient in vitamin B₁ and 28 percent deficient in riboflavin, which constituents had been in whole or in part omitted or abstracted from it.

Misbranding, Section 403(a), the statements in the labeling, "Each tablet contains: Vitamin B₁ (Thiamine Chloride) 333 U. S. P. Units Vitamin B₂ (g) Riboflavin 500 Micrograms," and "1 tablet per day affords the average minimum requirements of adult persons," were false since the article did not contain the vitamin B₁ and riboflavin content stated, nor would one tablet a day afford the average minimum requirements of adult persons with respect to these two vitamins; and, Section 403 (j), the article purported to be a food for special dietary uses by reason of its vitamin content, and its label failed to bear such information concerning its vitamin properties as has been prescribed by regulations as necessary in order fully to inform purchasers as to its value for such uses, since such information appeared in a circular contained in the carton but did not appear on the label.

Further misbranding, Section 403 (a), the following statements in the labeling were false and misleading since the article would not effect the results suggested or implied: (Display cards) "Symptoms Which May Develop From Vitamin B Complex Deficiency Nervousness Loss of Appetite Skin Disorders Weakness Neuritis Constipation Fatigue Faulty Memory B-Complex Vitamins 1 tablet per day affords the average minimum requirements of adult persons"; (inserts contained in retail package) "When Vitamin B Complex is not supplied in adequate amounts the following are among the symptoms which may develop: Loss of Appetite Skin Disorders Mental Depression Nutritional Anemia Faulty Memory Nervousness Constipation Weakness Fatigue Neuritis The daily intake of Vita-Pure B Complex Vitamins entirely prevents and corrects these deficiency symptoms when due to the lack of Vitamin B Complex Vita-Pure Vitamins Help Keep You Feeling Fit No Need to Ration Your Health."

The article was also alleged to be misbranded under the provisions of the law applicable to drugs as reported in the notices of judgment on drugs and devices, No. 1283.

DISPOSITION: April 17, 1944. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

8092. Adulteration and misbranding of B-Iron Vitamin B₁ Tablets. U. S. v. 23 Bottles of Vitamin B₁ Tablets. Default decree of forfeiture. Product ordered relabeled and delivered to a charitable institution. (F. D. C. No. 14373. Sample No. 61585-F.)

LIBEL FILED: November 6, 1944, Western District of Texas.

ALLEGED SHIPMENT: On or about June 30, 1944, by Irwin, Neisler and Co., Decatur, Ill.