

the label statement, "Each six tablets contain the following: Vitamins: A 5,000 U. S. P. Units \* \* \* Minerals; Calcium 948 Milligrams \* \* \* Iron 15 Milligrams; Iodine 0.1 Milligram," was false and misleading. The product contained less than the labeled amount of vitamin A, and 6 tablets contained greater amounts of calcium, iron, and iodine than represented.

**Hi-B Complex Tablets.** Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B<sub>1</sub>, had been in whole or in part omitted since each tablet was represented to contain not less than 675 U. S. P. Units of vitamin B<sub>1</sub>, but each tablet contained a smaller amount. Misbranding, Section 403 (a), the label statement, "Each Tablet Contains Vitamin B<sub>1</sub>, 675 U. S. P. Units," was false and misleading; and, Section 403 (e) (1), the article was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor. Further misbranding, Section 403 (j), it purported to be and was represented as a food for special dietary uses by man by reason of its vitamin properties in respect to its vitamin B<sub>1</sub>, B<sub>2</sub>, and B<sub>6</sub> and pantothenic acid and nicotinic acid content; its label failed to bear such information concerning its vitamin properties as had been determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses, since the label failed to bear a statement of the proportion of the minimum daily requirements for vitamins B<sub>1</sub> and B<sub>2</sub> 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 that the need in human nutrition had not been established for vitamin B<sub>6</sub> and pantothenic acid.

**DISPOSITION:** April 2, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the corporation was fined \$500 on 1 count. Imposition of sentence on the remaining counts against the corporation and on all counts against the individual was suspended for 3 years, and both defendants were placed on probation for that period.

**10348. Misbranding of Yogurt Culture. U. S. v. International Yogurt Co. and Richard Tille. Pleas of nolo contendere. Fine of \$200 against each defendant; fine against company remitted. (F. D. C. No. 16567. Sample Nos. 73780-F, 28602-H, 28617-H.)**

**INFORMATION FILED:** April 15, 1946, Southern District of California, against the International Yogurt Co., a partnership, Beverly Hills, Calif., and Richard Tille, a partner and manager of the firm.

**ALLEGED SHIPMENT:** On or about November 15 and December 13, 1944, from the State of California into the States of Arizona and Washington.

**PRODUCT:** Bacteriological examination of samples of the article showed it to be a starter culture, containing viable lactobacilli.

**LABEL, IN PART:** (Bottle) "Original Bulgarian Yogurt Culture From the Laboratory of International Yogurt Company Beverly Hills, California Prepared under the Scientific Supervision of Rosell Bacteriological Dairy Institute La Trappe, Canada."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), certain statements in accompanying circulars entitled, "ABC of making Genuine Bulgarian Yogurt at Home," "Yogurt Culture a Health Aid," and "Keep Young With Rosell Institute Yogurt Culture," were false and misleading. The statements in the circulars represented and suggested that the article would keep one young; that it would create in the user the feeling of general well-being and health; that it would cause the increased longevity implied in the expression "Adds life to your years and years to your life"; that it would prolong life by eliminating self-poisoning (auto-intoxication); that it would prevent premature old age; that it would be of great benefit in many types of gastrointestinal disturbances; that it would prevent injury of our most precious organs, arteries, brain, liver, and kidneys; and that it would aid delicate digestion. The article would not be efficacious for the purposes claimed.

**DISPOSITION:** May 6, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the court imposed fines of \$100 on each count, a total of \$200, respectively, against both the partnership and the individual defendant. The fine against the partnership defendant was remitted.