

established; and the label statement "2 Capsules 3 times daily provide the minimum daily requirement or more of vitamins * * * during pregnancy as recommended by The Food and Nutrition Board of the National Research Council" was false and misleading since the article contained 20 times the minimum daily requirement for ascorbic acid, 3 times the minimum daily requirement for vitamin D, over 7 times the minimum daily requirement for thiamine mononitrate, over 3 times the minimum daily requirement for riboflavin, and 3 times the minimum daily requirement for nicotinamide; and since such statement suggested and implied, contrary to fact, that the article was recommended by the Food and Nutrition Board of the National Research Council; and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content, and its label failed to bear, as required by regulations, the statement "The Need for calcium pantothenate in human nutrition has not been established," and a statement of the proportion of the minimum daily requirement for iodine supplied by the article when consumed in a specified quantity during the period of one day.

DISPOSITION: 3-22-61. Default—destruction.

27147. Loma Linda Soyalac. (F.D.C. No. 45341. S. No. 16-810 R.)

QUANTITY: 27 cases, 12 17.2-oz. cans each, at Louisville, Ky.

SHIPPED: 9-20-60 and 10-20-60, from Mount Vernon, Ohio, by Loma Linda Food Co.

LABEL IN PART: (Can) "Loma Linda Soyalac Concentrated Liquid Hypoallergenic For Infants Children and Adults."

LIBELED: 1-6-61, W. Dist. Ky.

CHARGE: 403(j)—when shipped, the article purported to be and was represented as a food for special dietary uses by reason of its use as a food for infants and by reason of the decrease or absence of any allergenic property, and its label failed to bear, as required by regulations, (a) a statement of the percent by weight of crude fiber contained in such food; and (b) a statement of the number of available calories and of U.S.P. units of vitamin B₁ (thiamine) and vitamin C (ascorbic acid) supplied by a specified quantity of such food; and its label also failed to bear, as required by regulations, the quantity or proportion of each ingredient contained in the article.

DISPOSITION: 3-13-61. Default—delivered to a charitable institution.

MISCELLANEOUS FOODS

27148. Pie filling. (F.D.C. No. 45017. S. No. 36-046 R.)

QUANTITY: 45 ctns., 12 1-lb. 5-oz. cans each, at Brooklyn, N.Y.

SHIPPED: The article was delivered, on 8-17-60, to a ship pier at Brooklyn, N.Y., for shipment to Malaya.

RESULTS OF INVESTIGATION: Inspection showed that the article had been submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the article was stored.

LIBELED: 11-30-60, E. Dist. N.Y.

CHARGE: 402(a)(4)—held under insanitary conditions while in interstate commerce.