

## VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

27741. Vitamin products. (F.D.C. No. 44902. S. Nos. 42-301 R, 42-308 R, 42-310 R, 42-312/3 R, 42-315/6 R, 42-318 R.)

QUANTITY: 4 cases of 96 200-tablet btls. of Multi-Mineral tablets; 6 cases of 96 200-tablet btls. and 3 cases of 96 100-tablet btls. of vitamin A and D tablets; 4 cases of 96 100-tablet btls. of vitamin B complex tablets; 5 cases of 6 600-tablet btls. of vitamin A and D and B<sub>12</sub> tablets; 4 cases of 96 120-capsule btls. of Junior Multi-Vitamin-Mineral capsules; 3 cases of 108 45-capsule btls. of Geriatric Multi-Vitamin-Mineral capsules; and 34 cases of 12 8-oz. btls. of liquid vitamins for infants and children, at Oakland, Calif.

SHIPPED: Between 7-31-57 and 7-15-60, from Freeport, Ill., by W. T. Rawleigh Co.

LABEL IN PART: (Btl.) "Rawleigh's Multi-Mineral Tablets"; "Rawleigh's Vitamin A and D Tablets"; "Rawleigh Vitamin B-Complex Tablets"; "Rawleigh's Vitamin A and D and B-12 Tablets"; "Rawleigh's Junior Multi-Vitamin-Mineral Capsules For Children 3 to 12 Years of Age"; "Rawleigh's Geriatric Multi-Vitamin-Mineral Capsules"; and "Rawleigh Liquid Vitamin For Infants and Children."

ACCOMPANYING LABELING: Booklets entitled "Rawleigh and today's homemaker" and "Pocket Reference Booklet on Rawleigh Products"; leaflets entitled "Better health more vigor and zest for life," "Who needs vitamin supplements," and "To help babies and children grow and be healthy"; and loose-leaf books entitled "Rawleigh's Sales Manuals."

LIBELED: 9-22-60, N. Dist. Calif.

CHARGE: 403(a)—when shipped, the labeling of the Multi-Mineral tablets, vitamin A and D tablets, vitamin B complex tablets, vitamins A and D and B<sub>12</sub> tablets, and Junior Multi-Vitamin-Mineral capsules contained false and misleading representations that the ordinary diet consumed by teenagers, older people, and others in the United States, is generally deficient in vitamin and mineral content, and that such diet results in practically everyone suffering from, or being in danger of suffering from, inadequate vitamin and mineral nutrition unless a vitamin and mineral supplement is added to the diet; that smokers and those who drink require supplementation of the diet with vitamins; and that the regular consumption of vitamin and mineral food supplements is a suitable corrective for all aspects of inadequate nutrition due to poor eating habits, fad diets, and eating only the foods one likes and ignoring other needed foods.

403(a)—the label of the Multi-Mineral tablets bore the false and misleading statement "Need in human nutrition for copper \* \* \* magnesium not definitely established."

403(a)—the label of the Junior Multi-Vitamin-Mineral capsules bore the false and misleading statements "the need for folic acid, vitamin E \* \* \* have not been established" and "The need for \* \* \* copper, magnesium \* \* \* has not been established."

403(a)—the labeling of Geriatric Multi-Vitamin-Mineral capsules, and the name of the article, contained false and misleading representations that the nutritional requirements of older people were different from adults generally; that it was impossible for an individual to consume adequate, nutritional

quantities of vitamins in the ordinary diet, that vitamin supplementation was therefore necessary; and that the article was nutritionally superior to such ordinary foods.

403(a)—the labeling of liquid vitamin for infants and children contained false and misleading representations that it was impossible for infants and children to consume adequate nutritional quantities of vitamins in the ordinary diet, that vitamin supplementation was therefore necessary; and that the article was nutritionally superior to such ordinary foods.

403(j)—when shipped, the vitamin A and D tablets and vitamin A and D and B<sub>12</sub> tablets purported to be and were represented as foods for special dietary uses by reason of their vitamin and mineral content, and their labels failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement of vitamin A for infants and children supplied by such foods when consumed in a specified quantity during the period of one day.

The libel alleged also that the articles were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6496.

DISPOSITION: 10-27-60. Default—delivered to county institutions for use under a physician's instruction.

**27742. Omin Plus iron phosphate tablets.** (F.D.C. No. 44210. S. Nos. 85-709/11 P.)

QUANTITY: 6 tins of Lot No. 41701, 7 tins of Lot No. 41702, and 4 tins of Lot No. 41703, each tin containing 25,000 tablets, at Fishkill, N.Y.

SHIPPED: Between 2-11-59 and 2-16-59, from Worcester, Mass., by Brewer & Co., Inc.

LABEL IN PART: "Private Formula \* \* \* Omin-Plus \* \* \* Iron (Ferric) Phosphate 67 mg. (160% MDR)."

RESULTS OF INVESTIGATION: Analyses showed that the article contained approximately (Lot No. 41701) 55 percent, (Lot No. 41702) 58 percent, and (Lot No. 41703) 55 percent of the declared amounts of iron.

LIBELED: 2-11-60, S. Dist. N.Y.

CHARGE: 402(b)(1)—when shipped and while held for sale, the valuable constituent, iron, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Iron (Ferric) Phosphate 67 mg." was false and misleading.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6494.

DISPOSITION: 7-29-60. Default—destruction.

**27743. Oro-Vita food supplement.** (F.D.C. No. 44262. S. Nos. 84-053 P, 17-305 R.)

QUANTITY: 34 cases, each containing 6 ctns., each ctn. containing 360 mineral tablets and 180 vitamin tablets, at Salt Lake City, Utah, in possession of Oro-Vita Corp.; and 160 packages, each containing 2 ctns. of 360 mineral tablets and 180 vitamin tablets; 450 envelopes, each containing 4 mineral tablets and 2 vitamin tablets; 39 drums, each containing 21,239 mineral tablets and 21 drums, each containing 21,239 vitamin tablets, at Salt Lake City, Utah, in possession of "N" Products Co.