

be effective in the treatment of rheumatic and neuralgic aches and pains, rheumatism, and gout; and that the combination of the liquid and pills would be effective in freeing the system from bile and in starting a natural action of the liver. The articles, either alone or in combination, would not be effective for the purposes claimed.

**DISPOSITION:** August 29, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1681. Misbranding of Pa-Poya. U. S. v. 12 Jugs and 5 Bottles of Pa-Poya. Default decree of condemnation. Product ordered delivered to a charitable institution.** (F. D. C. No. 16127. Sample No. 2873-H.)

**LABEL FILED:** May 9, 1945, District of Columbia.

**ALLEGED SHIPMENT:** From Miami, Fla., by the Tropical Fruits Laboratory.

**PRODUCT:** 12 1-gallon jugs of *Pa-Poya*, together with a quantity of the same product repacked from gallon containers into 4 1-quart bottles and 1 1-pint bottle. The product was offered for sale while in possession of the Citrus Juice Co., Washington, D. C.

Examination showed that the product was a clear liquid having an artificial fruit-type flavor and a burning taste, containing not more than 4 milligrams of vitamin C per ounce, and possessing no digestive properties.

**NATURE OF CHARGE:** Misbranding (12-jug lot), Section 502 (a), the label statements which represented and suggested that the article would be effective in the treatment, relief, or correction of indigestion, gastric disorders, irritated throat, childrens disorders, "morning after" disaster, stomach disorders, sore throats, eczema, acidosis, and many other ailments, were false and misleading since the article would not be effective in the treatment, relief, or correction of those conditions and diseases.

Misbranding (repacked lot), Section 502 (a), the statements appearing on the labels furnished by the shipper and attached to the bottles containing the article, "A Tropical Fruit Beverage Concentrate containing the entire Papaya—pulp, \* \* \* skin and seed \* \* \* As an aid to digestion or gastric disturbance," were false and misleading since the article did not contain the pulp, skin, or seeds of papaya, and it would not be effective as an aid to digestion or gastric disturbances.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 8299.

**DISPOSITION:** August 21, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

**1682. Misbranding of vitamin B complex tablets and vitamin and mineral tablets. U. S. v. 76 Packages of Vitamin B Complex Tablets, etc. Default decree of condemnation and destruction.** (F. D. C. No. 16285. Sample Nos. 6327-H, 6328-H.)

**LABEL FILED:** May 29, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about January 19, 1945, by the City Food Mart, Fort Atkinson, Wis.

**PRODUCT:** 76 packages of *vitamin B complex tablets*, 119 packages of *vitamin B complex with added thiamine*, and 55 packages of *vitamin and mineral tablets* at New York, N. Y.; also approximately 50 leaflets entitled "Buoyant Health for All the Family," 50 leaflets entitled "For Your Health's Sake," 6 display racks entitled "Feel Fit as a Major," and 12 circular display cards entitled "Ask for Major-B Brand."

**LABEL, IN PART:** "Major-B Natural Vitamin B Complex Tablets [one lot further labeled, "with Added Thiamine"]"; "Major Vitamins and Minerals Vitamins A, B, D with Calcium, Phosphorus, Iron."

**NATURE OF CHARGE:** *Vitamin B complex tablets* and *vitamin B complex tablets with added thiamine*, misbranding, Section 502 (a), certain statements in accompanying leaflets entitled "Buoyant Health for All the Family" and "Vitamins for Victory," and on the display racks, were false and misleading since they created the impression that the articles would be effective to provide greater energy, steadier nerves, better digestion, improved health and vigor, better appetite, insurance from vitamin deficiencies, physical well-being, and protection against frequent colds, constipation, fatigue, digestive upsets, and other com-

mon ills; that the articles would provide the vitamins found in whole wheat bread, eggs, milk, liver, and tomato juice; that they contained nutritionally significant amounts of all vitamins of the B complex; that there are widespread dietary deficiencies that would be corrected by the use of the articles; that ordinary foods are unreliable sources of vitamins; and that it is desirable, if not necessary, to supplement the ordinary diet with such vitamins. The articles would not fulfill the promises of benefit stated and implied; and it is not true that there are widespread dietary deficiencies that would be corrected by use of the articles, and that ordinary foods are unreliable sources of vitamins.

*Vitamin and mineral tablets*, misbranding, Section 502 (a), certain statements in the leaflet entitled "For Your Health's Sake" were false and misleading since they created the impression that the article would be effective to provide vigor, health, and energy; that it would build resistance to colds, prevent fatigue, and be effective in the treatment and prevention of nervousness, improper digestion, poor appetite, loss of weight, constipation, night blindness, premature aging, and poor teeth and gums; that the article would be effective to provide the vitamins and minerals found in eggs, milk, chicken, cabbage, and cottage cheese; and that foods are unreliable sources of vitamins, and therefore it is desirable, if not necessary, to supplement the diet with the article. The article would not be effective for the purposes stated; there are no widespread dietary deficiencies that would be corrected by the use of the article; the article would not supply the vitamins and minerals found in the foods named; and furthermore, foods are reliable sources of vitamins and minerals.

The articles were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in the notices of judgment on foods.

DISPOSITION: June 20, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

1683. **Misbranding of Pure Soy Bean Oil Lecithin, Food Oils, High Potency Vitamin B Complex Tablets, and Blendavita.** U. S. v. 3 Bottles of Pure Soy Bean Oil Lecithin, 13 Bottles of Food Oils, 10 Bottles of High Potency Vitamin B Complex, 21 Packages of Blendavita, and a number of leaflets. Default decree of condemnation and destruction. (F. D. C. No. 16286. Sample Nos. 28381-H to 28384-H, incl.)

LABEL FILED: May 25, 1945, Western District of Washington.

ALLEGED SHIPMENT: From Los Angeles, Calif., by Ruth Clark Products. The products were shipped on or about March 9, 1945, and the leaflets were shipped on or about March 1, 1945.

PRODUCT: 3 13-ounce bottles of *Pure Soy Bean Oil Lecithin*, 13 8-ounce bottles of *Food Oils*, 10 100-tablet bottles of *High Potency Vitamin B Complex*, 21 12-ounce packages of *Blendavita*, and approximately 40 leaflets entitled "Ruth Clark Products," at Tacoma, Wash.

Examination disclosed that the *Pure Soy Bean Oil Lecithin* was essentially a mixture of oil, such as soy bean oil, and partially refined sugar sirup; that the *Food Oils* was a mixture of vegetable oils, including cottonseed and sesame oils; that the *High Potency Vitamin B Complex Tablets* consisted essentially of yeast, starch, kaolin, and very small amounts of dried parsley, dried kelp, dried dandelion leaf, and other organic matter, and contained, per tablet, 23.8 milligrams of iron, or 2.20 grains of iron per 6 tablets; and that the *Blendavita* consisted essentially of coarsely ground alfalfa leaves and stems, mixed with the powdered stems of a species of Ephedra.

NATURE OF CHARGE: *Pure Soy Bean Oil Lecithin*, misbranding, Section 502 (a), certain statements in the leaflets were false and misleading since they represented and suggested that lecithin is a substance essential in the nutrition of man; that ordinary diets supply an inadequate amount of lecithin; and that the article would be effective to correct or prevent lassitude, slackness, nervousness, insomnia, debility, and improper nerve functioning. Lecithin is not a substance essential in the nutrition of man; ordinary diets supply an adequate amount of lecithin; and the article would not be effective to correct or prevent the conditions and symptoms mentioned.

*Food Oils*, misbranding, Section 502 (a), the following statements in the leaflet were false and misleading since they represented and suggested that the article would be effective to aid in the digestive processes, whereas the article would not be effective for such purpose: "Your automobile needs lubricating. What about your body? \* \* \* They furnish valuable food oils