

deficient in needed minerals that people are starving no matter how much they eat; that fruits, vegetables, grains, eggs, milk, and meat of today are not what they were a few generations ago; that the basic remedy for sick stock is minerals; that the article was insurance for daily health; and that it was a life giving medicine, the activator of soil health, animal health, and human health. The article was not an adequate and effective treatment for the conditions stated and implied, and it would not fulfill the other promises of benefit set forth. Further misbranding, Section 502 (a), certain statements on the bottle label of the article were false and misleading. The statements represented and suggested that the article contained 16 nutritionally useful minerals and that the need for manganese, zinc, aluminum, nickel, cobalt, tin, and boron in human nutrition has been established. The article did not contain 16 nutritionally useful minerals, and the need for the stated substances in human nutrition has not been established.

Mino-Vites capsules. Misbranding, Section 502 (a), certain statements in an accompanying circular were false and misleading. These statements represented and suggested that the article was effective for people who are never really well; that it was effective to prevent sickness, suffering, and shortening of the life span; and that it conformed to the Federal food and drug laws. The article was not effective for the purposes stated and implied, and it did not conform to the Federal food and drug laws. Further misbranding, Section 502 (a), certain statements on the bottle label of the article were false and misleading. The statements represented and suggested that the article contained 12 nutritionally useful minerals; that the need in human nutrition for magnesium, copper, sodium, and liver constituents had not yet been established; that 56.1 milligrams of iron was 160 percent of the minimum adult daily requirement; and that 15 milligrams of iodine was 100 percent of the minimum adult daily requirement for those elements. The article did not contain 12 nutritionally useful minerals; the need in human nutrition for the stated constituents has been established; 56.1 milligrams of iron was not 160 percent of the minimum adult daily requirement; and 15 milligrams of iodine was not 100 percent of the minimum adult daily requirement for iodine.

The articles were misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: January 18, 1951. Default decree of destruction.

3417. Misbranding of Pro-Dyne Oral tablets, Pro-Dyne Oral capsules, Red-Zyne tablets, and Red-Zyne capsules. U. S. v. 89,380 Tablets, etc. (F. D. C. No. 29796. Sample Nos. 69429-K, 69430-K.)

LIBEL FILED: October 9, 1950, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 2, June 24, and August 16, 1950, by Food Essentials, Inc., from Chicago, Ill.

PRODUCT: 89,380 *Pro-Dyne Oral tablets*; 5 dozen 60-tablet bottles, 5½ dozen 120-tablet bottles, and 5 dozen 240-tablet bottles of *Red-Zyne tablets*; 60,380 *Pro-Dyne Oral capsules*; and 6½ dozen 30-capsule bottles, 3½ dozen 60-capsule bottles, and 2 dozen 120-capsule bottles of *Red-Zyne capsules* at Duquesne, Pa.

Accompanying the articles were 1,000 window streamers and 2,000 display placards entitled "Ask About Red-Zyne," 1,000 counter dodgers entitled "The New Red Magic Red-Zyne Capsules-Tablets," and 2,000 copies of a reprint from Red Book Magazine entitled "Red Magic for Millions."

RESULTS OF INVESTIGATION: The products were shipped in drums under the names *Pro-Dyne Oral tablets* and *Pro-Dyne Oral capsules*. After shipment, portions had been repacked under the names of *Red-Zyne tablets* and *Red-Zyne capsules*. The advertising material, streamers, placards, and dodgers, in the possession of the consignee, were for distribution to wholesale and retail outlets.

LABEL, IN PART: (Drums, when shipped) "Pro-Dyne Oral Tablets A Dietary Supplement Containing B₁₂ with other A. P. F. Factors from fermentation products B-Complex Vitamins and Minerals * * * Directions: As a dietary supplement: Two Tablets 3 times a day * * * Each Pro-Dyne Tablet supplies: * * * .2 mg. Boron (from Sod. Borate)" and "Pro-Dyne Oral Capsules A Dietary Supplement Containing B₁₂ with other A. P. F. Factors from fermentation products B-Complex Vitamins and Minerals * * * Directions: As a dietary supplement: One Capsule 3 times a day * * * Each Pro-Dyne Capsule supplies * * * .4 mg. Boron (from Sod. Borate)."

(Repackaged bottles) "Red-Zyne Tablets A Dietary Supplement Containing the New Red Vitamin B₁₂ with other A. P. F. Factors B-Complex Vitamins and Essential Minerals * * * Directions: Two Tablets 3 times a day * * * Each Red-Zyne Tablet Supplies: * * * .2 mg. Boron (from Sod. Borate)" and "Red-Zyne Capsules A Dietary Supplement Containing the New Red Vitamin B₁₂ with other A. P. F. Factors B-Complex Vitamins and Essential Minerals * * * Directions: As a dietary supplement One Capsule Three times a day * * * Each Red-Zyne Capsule Supplies: * * * .4 mg. Boron (from Sod. Borate)."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the accompanying window streamers, display cards, and counter dodgers, and in the magazine reprints, were false and misleading. These statements represented and suggested that the articles when used as directed on the labels, would be efficacious in the treatment of nutritional anemia, pernicious anemia, secondary anemia, borderline anemia, and all other forms of anemia, fatigue, lack of appetite, poor health, nervousness, paleness, bronchitis, congestive heart failure, nausea, and sprue. The articles were not efficacious in the treatment of such conditions and diseases. The products were misbranded while held for sale after shipment in interstate commerce.

The products were also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 17249.

DISPOSITION: January 31, 1951. Default decree of condemnation and destruction.

3418. Misbranding of Peptotabs (Plus-Tabs). U. S. v. 243 Bottles * * * (F. D. C. No. 30340. Sample No. 95630-K.)

LABEL FILED: December 12, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 4, 1950, from New Brunswick, N. J.

PRODUCT: 243 Bottles of *Peptotabs* (Plus-Tabs) at Philadelphia, Pa., in possession of the Darel Pharmacy, Philadelphia, Pa.

RESULTS OF INVESTIGATION: Placards which were entitled "Learn to Live Again," "Peptotabs strengthens the body," "A New You," and "Men * * * Women Over 40," and which related to the *Peptotabs*, were in the window of the Darel Pharmacy.