

**CHARGE:** 502(a)—when shipped, the labeling of the article contained false and misleading representations that the article contained hormonal activity equivalent to therapeutically significant amounts of testosterone and estrone and that the article was an adequate and effective treatment for male hormone deficiency, loss of sex urge, sleeplessness, irritability, lack of vigor, nervousness, loss of muscle power, loss of pep, tiredness and premature old age, and that the article was effective to restore man to a life of vigor, vitality and sex enjoyment.

**PLEA:** Guilty by Silfan to counts 1, 2, 4 and 5; by Savitch to count 1; and by the corporation to counts 1, 2 and 3.

**DISPOSITION:** 3-28-60. Silfan—\$1,000 fine of which \$750 was remitted; 90 days in jail which was suspended; and probation for 1 year. Savitch—\$500 fine; 90 days in jail which was suspended; and probation for 1 year. Corporation—\$3 fine which was remitted.

**6066. Kelp tablets.** (F.D.C. No. 43118. S. No. 50-139 P.)

**QUANTITY:** 15 drums, each containing 64 lbs. in tablet form, 62 1,000-tablet cans, and 7 500-tablet cans, at Kingsport, Tenn., in possession of Thomas D. Pruitt.

**SHIPPED:** 12-24-58, from Kalamazoo, Mich.

**LABEL IN PART:** (Drum) "Each tablet contains: Pacific Kelp 5 gr." and (can) "5 grain tablets \* \* \* Pruitt's Pure Pacific Sea Kelp \* \* \* A Pure Natural Food to be used as a supplement to the regular diet, as nutrition only \* \* \* Packed and Distributed by T. D. Pruitt, \* \* \* Kingsport, Tennessee. \* \* \* Average usage: 6 tablets three times daily, 18 tablets (90 grains) supplements the regular diet."

**ACCOMPANYING LABELING:** Leaflets entitled "Are You Starving" and "Food and Your Body."

**RESULTS OF INVESTIGATION:** The tablets in the cans were repacked and labeled by the dealer from the tablets in the drums shipped as described above.

The leaflets were furnished to customers by the dealer for promotional purposes.

**LBELED:** 4-21-59, E. Dist. Tenn.

**CHARGE:** 502(a)—while held for sale, the labeling of the article contained false and misleading representations that the article, when used according to directions, was an adequate and effective treatment for producing and maintaining a normal and vigorous health, clear complexion, happier life, endurance, will power, vigor and stamina; that the article coagulated blood in wounds; prevented tuberculosis and rickets; was essential in digestion; purified body tissues; prevented excessive weight; kept joints supple; would distribute hormones in the body; was necessary for iron transfer from the food to the blood and for iron assimilation; aided in tissue respiration; was essential to every gland and for proper heart function; ejected and counteracted poisons; gave vitality and longer life; helped prevent "tired feeling," cold hands and feet, slow thinking, premature gray hair; was needed to carry oxygen to the blood; gave pep and strength; was required for firm tissues, bones, glands, and nerves; stimulated memory; prevented irritation and worry; aided production of enzymes; hardened bones and teeth; was an aid to body relaxation and good disposition; created body beauty; was essential for body activity; built brain and nerves; supplied recuperative

powers; flushed the kidneys; helped to prevent constipation; maintained normal heart beat; alkalinized the blood; aided gland secretions; neutralized body acidity; prevented continual sense of hunger, sinus and catarrhal conditions; aided in preventing hardening of the arteries and cataract of the eyes; was essential for clear skin and glossy hair; cleansed and purified the blood; and prevented infection; stimulated liver and gall bladder secretions.

The libel alleged also that the article was misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 3-1-60. Consent—claimed by Thomas D. Pruitt and relabeled.

6067. 7/Eleven Health tablets. (F.D.C. No. 42823. S. No. 36-125 P.)

QUANTITY: 2 metal containers containing about 28,000 tablets at Philadelphia, Pa., in possession of Service Industries.

SHIPPED: 1-15-59, from San Pedro, Calif.

LABEL IN PART: (Metal container) "20,000 Brewers Yeast Alfalfa & Kelp (Special) Tablets"; (bottle label) "7/Eleven Mineral, Vitamin and Protein Health Tablets Each tablet 8.5 Grain Net Weight \* \* \* Vitamin Components \* \* \* Mgs. Per Tablet Riboflavin 0.0096 Niacin \* \* \* 0.1538 Chloride 1.1100 Carotene \* \* \* 0.0040 Pantothenic Acid \* \* \* 0.0755 Thiamine \* \* \* 0.0232 Pyridoxine \* \* \* 0.0090 Betaine \* \* \* 0.2176 Biotin \* \* \* 0.0002 Inositol 0.9060 Minodione \* \* \* 0.0024 Alpha Tocopherol \* \* \* 0.0532 Xanthophylls \* \* \* 0.0480 Choline \* \* \* 1.1100 \* \* \* Total Vitamin Components \* \* \* 3.7225 Protein (Amino Acids) Components \* \* \* Mgs. Per Tablet Arginine 10.747 Cystine \* \* \* 2.835 Histidine 5.478 Isoleucine 11.884 Lysine 14.914 Leucine 15.200 Methionine 4.686 Phenylalanine 8.732 Threonine 10.280 Tyrosine 9.092 Tryptophane 2.718 Valine 9.328 Glutamic Acid 20.240 Glycine 13.866 \* \* \* Total Protein \* \* \* Components in each 7/Eleven Tablet 140.00 Mineral Components \* \* \* Total Per Tablet Calcium \* \* \* 4.94 Phosphorus \* \* \* 3.58 Iron \* \* \* 0.365 Potassium \* \* \* 7.04 Magnesium \* \* \* 1.93 Manganese \* \* \* 0.94 Iodine \* \* \* 0.37 Sodium \* \* \* 5.80 Chloride \* \* \* 22.12 Sulphur \* \* \* 2.40 \* \* \* Total Mineral Components \* \* \* 49.485 Total U.S.P. Units of all three components for Dietary Supplement—64.175 Directions \* \* \* A Product of Service Industries \* \* \* Philadelphia 34, Pa."

ACCOMPANYING LABELING: Pamphlets entitled "7/Eleven Multiple Mineral, Vitamin and Protein Tablets" and a number of loose bottle labels.

RESULTS OF INVESTIGATION: The tablets in the metal containers were to be packed into bottles labeled as described above.

The bottle labels and the pamphlets were prepared and printed by the dealer for use in promoting sales of the tablets.

LIBELED: 2-11-59, E. Dist. Pa.

CHARGE: 502(a)—while held for sale, the labeling of the article, namely, the above-mentioned bottle labels and pamphlets, contained false and misleading representations that the article was an adequate and effective treatment in preventing and treating all disease and infections, including hardening of the arteries, arthritis, instability of heart and nerves, malfunction of the sexual organs and loss of vitality, rickets, tuberculosis, acidosis, excessive weight, constipation, improper digestion, pain, improper brain function, memory loss, ulceration, non-coagulation of the blood in wounds, eye cataracts, sinus and catarrhal infections, soft bones and teeth, improper gland and nerve action; too acid or too alkaline blood, insomnia, wrinkles, premature aging, sagging