

RESULTS OF INVESTIGATION: The accompanying literature was shipped at various times with the articles and at various times under separate cover.

LIBELED: 8-26-64, W. Dist. Wash.

CHARGE: Tempo-Tabs tablets, 402(a)(2)(C)—when shipped, the article contained food additives, namely, cobalt and molybdenum, which were unsafe within the meaning of 409, since they and their use and intended use were not in conformity with a regulation or exemption in effect; and 403(a)—the labeling of the article, namely, the bottle label and the pamphlet entitled "Exactly . . . what is a 'Well-Balanced' Diet?" contained false and misleading representations which implied that it was difficult to achieve a well-balanced diet; and that the ingredients, glutamic acid, citrus bioflavonoids, zinc, potassium, magnesium, molybdenum, manganese, cobalt, biotin, lecithin, para-aminobenzoic acid, rutin, lysine, betaine, methionine, inositol, and choline were present in the article as "extra dividends"; and significantly enhanced the nutritive value of the article.

Super Geriatric tablets, 402(a)(2)(C)—when shipped, the article contained food additives, namely, folic acid, in excess of 0.1 milligrams as provided by regulations, and iodine, in excess of 0.15 milligrams as provided by regulations, and menadione and intrinsic factor, which were unsafe within the meaning of 409, since they and their use and their intended use were not in conformity with a regulation or exemption in effect; and 403(a)—the labeling of the article, namely, the bottle label and the accompanying pamphlet entitled "Keeping Fit After Forty" contained false and misleading representations and suggestions that the nutritional value of the article was enhanced by the presence of protein, lysine, methione, magnesium, potassium, and biotin, and by including ox bile, betaine, glutamic acid, molybdenum, cobalt, pepsin, pancreatic substance, rutin, bioflavonoids, inositol, choline, and intrinsic factor, in the article.

Maridin tablets, 403(a)—the labeling of the article, namely, the accompanying pamphlet entitled "Fountain of Youth" contained false and misleading representations that the article contained .5 milligram of iodine per day, whereas the article provided .15 milligram of iodine per day.

The libel alleged also that certain other articles and the Maridin tablets and Super Geriatric tablets were misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 8332.

DISPOSITION: 11-9-64. Default—destruction.

30496. Infa-Soy formula. (F.D.C. No. 50574. S. No. 30-498 A.)

QUANTITY: 496 cases, each containing 12 15½-oz. cans, at San Leandro, Calif.

SHIPPED: 8-3-64, from Madison, Tenn.

RESULTS OF INVESTIGATION: Examination showed that the article was decomposed, the contents were coagulated, and the article contained viable microorganisms.

LIBELED: 9-11-64, N. Dist. Calif.

CHARGE: 402(a)(3)—contained a decomposed substance and was otherwise unfit for food, while held for sale.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 8287.

DISPOSITION: 10-7-64. Default—destruction.

30497. Infa-Soy formula. (F.D.C. No. 50568. S. No. 61-788 A.)

QUANTITY: 2,309 cases, each containing 12 15½-oz. cans, at La Sierra, Calif.

SHIPPED: 6-26-64, from Madison, Tenn.

LIBELED: 9-4-64, S. Dist. Calif.

CHARGE: 402(a)(3)—contained a decomposed substance and was unfit for food by reason of the coagulation of the contents and the presence of viable micro-organisms, while held for sale.

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. 8288.

DISPOSITION: 10-23-64. Default—destruction.

MISCELLANEOUS FOODS

30498. Lemon flavored crystals. (F.D.C. No. 52153. S. No. 119-096 B.)

QUANTITY: 10 cases, each containing 24 10-oz. btls., at Garden City, N.Y.

SHIPPED: 11-23-65, from Toms River, N.J., by Crystal Foods, Inc.

LABEL IN PART: (Btl.) "Makes One Gallon * * * Lemon Queen Brand True Lemon Taste Crystals Vitamin C Enriched Just Add Water Dissolves Instantly * * * Ingredients Pure dehydrated lemon juice, dextrose, citric acid, Vitamin C, calcium phosphate, essential lemon oil and U.S. Certified Food Color * * * Lemon Queen Co. New York."

RESULTS OF INVESTIGATION: Examination showed the article to consist of a white crystalline material having a lemon-like odor and flavor.

LIBELED: 1-27-66, E. Dist. N.Y.

CHARGE: 403(a)—when shipped, the term "Lemon Queen," the name of the article "True Lemon Taste Crystals," the label vignette depicting a whole lemon, and other label statements, in the setting in which they were presented, which suggested and implied that the article when dissolved in water made lemon juice, or the equivalent thereof, were false and misleading, since they were contrary to fact; 403(c)—the article was an imitation of another food, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated, namely, dehydrated lemon juice; and 403(j)—the article was represented as being a food for special dietary use by reason of being "vitamin C enriched," and its label failed to bear such information concerning its vitamin properties as the Secretary had determined to be and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such use, since its label failed to bear a statement of the proportion of the minimum daily requirement for vitamin C supplied by such food when consumed in a specified quantity during a period of one day.

DISPOSITION: 3-3-66. Default—destruction.

30499. Reconstituted lemon juice. (F.D.C. No. 51620. S. No. 120-678 B.)

QUANTITY: 140 cases, each containing 12 1-qt. btls., at Linden, N.J.

SHIPPED: 6-18-65, from Brooklyn, N.Y., by Arthur Mitchell Food Products, Inc.

LABEL IN PART: (Btl.) "Lemon Tree Reconstituted Lemon Juice * * * Lemon Tree is made from Concentrated Lemon Juice. Blended to perfection with