29094. Sage leaves. (F.D.C. No. 48797. S. No. 71–197 V.)

QUANTITY: 3 50-kg. bales, at Ecorse, Mich.

SHIPPED: 3–8–63 and 4–1–63, from Chicago, Ill., by Kearns & Smith, Spice Div. of Archibald & Kendall, Inc.

LABEL IN PART: (Bale) "Dalmation Sage Leaves Product of Yugoslavia"; (tag) "From Kearns & Smith Spice Div. Archibald & Kendall, Inc. * * * Chicago 24, Illinois * * * Black Diamond Brand Dalm. Leaf Sage."

LIBELED: 6–3–63, E. Dist. Mich.

CHARGE: 402(a)(3)—contained human, rodent, and cow hairs when shipped.

DISPOSITION: 7–5–63. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

29095. A-D-C water-soluble mix. (F.D.C. No. 48724. S. No. 45–456 V.)

QUANTITY: 7 drums, each containing 25 1-lb. bags, at Washburn, Mo.

SHIPPED: 5–25–62, from Indianapolis, Ind.

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 50 percent of the declared amount of vitamin A.

LIBELED: 3–18–63, W. Dist. Mo.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin A, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Each Pound Contains: Vitamin A USP Units 8,000,000" was false and misleading.

DISPOSITION: 5–2–63. Default—destruction.

29096. La Lanne's instant breakfast food. (F.D.C. No. 48248. S. No. 30–181 V.)

QUANTITY: 1,937 boxes, each containing 4 7-oz. cans, at Los Angeles, Calif., in possession of Hollywood Premium Mailing Service.

SHIPPED: 2–28–62, from Cleveland, Ohio.

LABEL IN PART: (Can) "Jack La Lanne's Instant Breakfast The Delicious New Way To Enjoy a Nutritious Low Calorie Breakfast in just Seconds 7 Complete Breakfasts Formulated for La Lanne, Inc. Home Office, Hollywood 27, California."

ACCOMPANYING LABELING: Pamphlet entitled "Jack La Lanne's Plan For Weight Control," pamphlet entitled "New! * * * Jack La Lanne's Instant Breakfast," brochure entitled "Its Fun to Live and really enjoy life," order form, and return envelope.

RESULTS OF INVESTIGATION: The article had been shipped in bulk from Cleveland, Ohio, to Pasadena, Calif., where it was repacked into labeled cans supplied by La Lanne, Inc. The repacked article was then shipped to Hollywood Premium Mailing Service which packed the cans into boxes with the above accompanying labeling which had been received direct from the printer.

LIBELED: 10–25–62, S. Dist. Calif.

CHARGE: 403(a)—while held for sale, the name of the article, "Instant Breakfast" and statements in its labeling represented and suggested that the article contained an unusual quantity of protein for special dietary supplementation in an amount which was low in calories and was, therefore, of special value for weight reducing; that it satisfied the appetite and appeased hunger; and

that it furnished in one can, seven complete breakfasts, each significantly more nutritional than a breakfast consisting of 4 fluid ounces of fresh orange juice, 2 eggs, 2 slices of bacons, a cup of black coffee, one slice of whole wheat bread and one pat of butter, which name and statements were false and misleading since they were contrary to fact; 403(j)—the article was represented as a food for special dietary uses and its label failed to bear as required by regulations a statement of the percent by weight of the artificial sweetener contained in the article, namely, sodium cyclamate, and in juxtaposition therewith the word "nonnutritive."

DISPOSITION: 1–29–63. Consent—claimed by La Lanne, Inc., and relabeled.

29097. Dietary food supplement. (F.D.C. No. 49302. S. No. 54–616 V.)

QUANTITY: 174 pkgs., at Lincoln, Nebr.

SHIPPED: Between 9–1–62 and 10–31–62, from Beverly Hills, Calif.

RESULTS OF INVESTIGATION: Analysis showed that the article contained less than 75 percent of the declared amount of vitamin C.

LIBELED: 9–11–63, Dist. Nebr.

CHARGE: 402(b)(1)—while held for sale, the valuable constitutent, namely, vitamin C, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Contents of 1 Baby-Pak Daily will supply * * * Vitamin C * * * 10 mg." was false and misleading.

DISPOSITION: 10–14–63. Default—destruction.

29098. Nutri-Bio vitamins and minerals. (F.D.C. No. 48968. S. No. 24–851 V.)

QUANTITY: 262 ctns., each containing 2 pkgs. containing 13 dual compartment envelopes, at Sandusky, Ohio.

SHIPPED: Prior to 11–1–62, from Beverly Hills, Calif., by Nutri-Bio Corp.

LABEL IN PART: (Envelope) "Your Seven-Day Supply of Nutri-Bio Food supplement Vitamins & Minerals From Natural Or Organic Sources for the entire family * * * Nutri-Pak Better Nutri-tion Thru Bio-chemistry."

RESULTS OF INVESTIGATION: Analysis showed that one lot of the article contained approximately 75 percent of the declared amount of vitamin C and that various lots of the article contained approximately 78 percent of the declared amount of vitamin B_{12}.

LIBELED: 5–17–63, N. Dist. Ohio.

CHARGE: 402(b)(1)—while held for sale, valuable constituents, namely, vitamin C and vitamin B_{12}, had been in part omitted or abstracted from the article; and 403(a)—the label statements "2 Vitamin Tablets and 4 Mineral Tablets Daily will supply * * * Vitamin C * * * 60 Mg. * * * Vitamin B_{12} Activity (Cobalamin) [or "Cobalamin Concentrate (Vitamin B_{12} Activity)"] 5 mcg." were false and misleading as applied to a product containing less than the declared amount of those ingredients.

403(a)—when shipped, the name of the article "Nutrio-Bio * * * dietary food supplement" displayed upon the cartons was misleading as applied to an article whose composition (declared ingredients) varied from carton to carton; and 403(a)—the label of the article bore the false and misleading representation that the article was of significant value for special dietary supplementation because of the presence therein of unsaturated fatty acids, linoleic acid, linolenic acids, inositol, para-aminobenzoic acid, rutin, biotin, methionine, bioflavonoid complex, hesperiden complex, choline, alfalfa juice and powder