

Subsequently, the claimant moved that its answer and claim be dismissed. On 7-31-61, the claimant's motion to dismiss its answer and claim was granted and a default decree of condemnation and destruction was entered.

27900. Bey Proto-X, Ro-Qee-Jel capsules, and Bey Vita RG Soya Lecithin.
(F.D.C. No. 44678. S. Nos. 26-082 R, 26-085/6 R.)

QUANTITY: 20 btls. of Bey Proto-X; 8 btls. of Ro-Qee-Jel capsules; and 90 btls. of Bey Vita RG Soya Lecithin, at Los Angeles, Calif.

SHIPPED: 5-5-60, from Seattle, Wash., by Hamid Bey.

LABEL IN PART: "Bey Proto-X Amino Acids with Vitamin B-12 and Vitamin B-1 Water Soluble Protein a Dietary Food Supplement—Net Weight 4 Ounces * * * Distributed by Bey-Vita Products Co. 2015 Beverly Boulevard—Los Angeles 57, California"; "30 Capsules Ro-Qee-Jel Capsules A Food Supplement * * * Each capsule contains: Royal Queen Bee Jelly 40 mg. Vitamin B-1 (Thiamin) 5 mg. Vitamin B-12 5 micrograms * * * Royal Queen Bee Jelly Co. of Michigan 12751 Capital—Oak Park 37, Michigan"; and "100% Pure Lecithin * * * Bey Vita RG Soya Lecithin Net Weight 8 Oz. Each tablespoonful (7.5 grams) contains: Choline 250 Mg. Inositol 250 Mg. Phosphorus 225 Mg. Distributed by Bey Vita Products Co."

LIBELED: 6-23-60, S. Dist. Calif.

CHARGE: Bey Proto-X, 403(a)—when shipped and while held for sale, the bottle label of the article contained false and misleading representations that the article was a source of complete protein; and 403(j)—the article purported to be and was represented as a food for special dietary use by reason of its use in dietary management with respect to diseases, and its label failed to bear, as required by the regulations, the percent by weight of protein in such article.

Ro-Qee-Jel capsules, 403(a)—when shipped and while held for sale, the name of the article "Ro-Qee-Jel" was false and misleading since such name represented and suggested that the main ingredient, royal queen bee jelly, was of value as a food supplement, whereas such ingredient is without value as a food supplement; and 403(a)—the label statement "The need for the other items listed in human nutrition has not been established" was false and misleading since such statement related to vitamin B₁₂ and the need for vitamin B₁₂ in human nutrition has been established.

Bey Vita RG Soya Lecithin, 403(a)—when shipped and while held for sale, the label statement "100% Pure Lecithin" was false and misleading since it was contrary to fact.

The articles were 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. 6587.

DISPOSITION: 3-27-61. Default—destruction.

INDEX TO NOTICES OF JUDGMENT F.N.J. NOS. 27851 TO 27900

PRODUCTS

	N.J. No.		N.J. No.
Addit 'Hi-Vi' Reducing Aid	27896	Bey Vita RG Soya Lecithin	27900
Bakery products	27856-27863	Bread	27856-27858
Beverages and beverage mate- rials	27851-27855	and rolls	27859
Bey Proto-X	27900	crumbs	27860
		Butter	27878-27880